

Bulletin

OF THE

INTERNATIONAL LABOUR OFFICE

NATIONAL LABOUR LEGISLATION.

- ✓ DENMARK : Act respecting labour exchanges.
- ✓ GREAT BRITAIN AND IRELAND : Children (Employment Abroad) Act.
- ✓ SOUTH AFRICA : Miners' Phthisis Act. Immigrants' Regulation Act.



Monthly - 8s. per annum.

London :

THE PIONEER PRESS, LTD. (Trade Union and 48 hours),
3, NEW ROAD, WOOLWICH.

Entered at the Post Office, New York, N.Y., U.S.A., as second-class matter.

Printed March, 1914.

CONTENTS

LAWS AND ORDERS.

Denmark : Act respecting Labour Exchanges. (29th April, 1913)	1
France : Act amending the Labour Code as regards work in mines. 31st December, 1913	5
Germany : Regulations respecting home-work in the tobacco industry. 17th November, 1913	7
Great Britain and Ireland :	
Coal Mines Act, 1911. 16th December, 1911	9
Children (Employment Abroad) Act, 1913. 15th August, 1913	12
Homework Order. 9th February, 1912	14
Order respecting particulars for piecework in the manufacture of chocolate. 27th February, 1912	15
Order respecting linewashing. 19th April, 1912	16
Regulations establishing a Trade Board for the tailoring trade in Ireland. 3rd July, 1912	17
Order respecting particulars for piece-work in shipbuilding yards. 23rd August, 1912	19
Homework Order. 20th January, 1913	20
Orders respecting employment at night of male young persons. 21st May, 1913 ; 14th June, 1913	21-22
Order extending the Workmen's Compensation Act, 1906, to writer's cramp, and consolidating previous Orders. 30th July, 1913	23
Regulations for the manufacture of chromate and bichromate of potassium or sodium. 9th August, 1913	24
Form of licence under the Children (Employment Abroad) Act, 1913. 27th August, 1913	26
[Also Titles of Orders, etc., respecting prevention of accidents on railways, Orders under the Coal Mines Act and the Mines Rescue and Aid Act, Rules under the Merchant Shipping Act, Regulations under the Shops Act.]	
British Colonies :	
<i>South Africa :</i> Miners' Phthisis Act, 1912. 22nd June, 1912	28
Immigrants' Regulation Act, 1913. 14th June, 1913	40
Italy : Act relating to the legal protection of emigrants. 2nd August, 1913	54

Bulletin

OF THE

INTERNATIONAL LABOUR OFFICE

[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B., respectively.]

National Labour Legislation

1. LAWS AND ORDERS

I. Denmark

Lov (Nr. 110—1913) on Arbejdsanvisning. Den 29 de April, 1913.

Act respecting Labour Exchanges (No. 110, 1913). (Dated 29th April, 1913.)

1. Public recognition may be given, by the Minister of the Interior, to the communal labour exchanges, which comply with the conditions prescribed by the present Act.

The labour exchanges referred to may be created by :

- (1) A county (Amtskommune) ;
- (2) A provincial town or trading town or a parish (Købstadkommune, Handelspladskommune, Sognekommune).
- (3) By several of the above mentioned communes jointly.

Several communes may unite for the purpose of creating a labour exchange with branches.

2. A recognised labour exchange outside Copenhagen shall be managed by a board of at least seven members, who shall be selected by the communal council concerned and shall consist of a chairman and an equal number of employers and workers.

No person may be elected as chairman who acts as an employer of labour or as a workman or as a member of an employers' or workmen's organisation. The selection of the chairman shall be approved by the Minister of the Interior.

For the selection of the chairman it shall be necessary for the person in question to secure a number of votes amounting to more than half the number of the communal council in question. In the event of such a number of votes not being obtained, the chairman of the board shall be elected by the Minister of the Interior, who shall also lay down the provisions for the election of the chairman in the event of the selection made by the communal council not being approved.

In the election of the other members of the board of the labour exchange the method of proportional representation shall be employed, if this should be demanded by any member of the communal council. The Minister of the Interior shall lay down detailed rules relating to the manner of the election.

The election shall be valid for the period of office of the communal council in question. Any person eligible for the communal council, who complies with the above-mentioned conditions, shall be bound to accept election for one period of office, but may thereafter decline to accept election for the next following period of office.

The board shall be unpaid, but they may be granted attendance fees for each meeting.

The necessary staff at the exchange shall be appointed by the communal council concerned after consultation with the board of the exchange.

3. The recognised labour exchange in Copenhagen shall act as the central exchange for the whole country.

The supreme control of the whole of the activities of the central exchange shall be in the hands of the Director of Labour Exchanges, who shall be appointed by the King. The said Director shall consequently exercise supervision on behalf of the State over all recognised labour exchanges and shall see that the necessary co-operation takes place between them (*cf.* §7).

To assist the Director of Labour Exchanges in the management of the work of the central exchange, a Supervisory Council shall act, consisting of at least ten members, the Director being the Chairman of the said Council, which shall otherwise consist of an equal number of employers and workers.

Four of the members of the Supervisory Council, viz.: two employers and two workers, shall be selected by the Minister of the Interior. So long as the Association of Danish employers and masters (Dansk Arbejdsgiver og Mesterforening) and the United Labour Federation of Denmark (De samvirkende Fagforbund i Danmark) represent the organised employers and workers of the country, engaged in industry, commerce, transport and agriculture, to a preponderating degree, the said associations shall be permitted to come forward with proposals relating to the election of the members of the said Supervisory Council as regards employers and workers respectively. If the above-mentioned conditions of representation no longer obtain as regards one of the said associations, the Minister of the Interior shall lay down detailed provisions as to the procedure in arranging the right of the interested parties to make proposals.

The remaining members shall be elected by the City Council (Borgerrepræsentantskab) in Copenhagen. In the election the method of proportional representation shall be employed, if this should be demanded by any member of the City Council. The Minister of the Interior shall lay down the detailed rules relating to the method of election.

The election shall be valid for the period of office of the City Council. Any person eligible to the City Council who satisfies the above-mentioned conditions shall be bound to accept election for one period of office but thereafter he may refuse to accept election in the subsequent period of office.

The Supervisory Council shall be unpaid, but the members may be granted attendance fees for each meeting. As regards members elected by the City Council, the attendance fees shall be defrayed out of communal funds pursuant to the rules laid down in §10.

The necessary staff at the central labour exchange shall be appointed by the city authority (magistrat) in Copenhagen in accordance with propositions made by the Supervisory Council, but may be dismissed by the Minister of the Interior on the proposal of the Director of the Labour Exchanges Department.

4. The Director of Labour Exchanges shall be appointed by the Minister of the Interior and shall receive a salary of kr 5,500 per annum, rising every fourth year by kr. 500 per annum, provided that the salary shall not exceed kr. 7,000 per annum.

The other expenses connected with the supervision on the part of the State of the labour exchanges shall be met by a grant in the annual Finance Act.

5. The Minister of the Interior is empowered to allow towns in which no labour exchange has been erected, which comply with the conditions prescribed in the Act, to instal such exchanges within two years after the present Act has come into force; the staff of such exchanges shall be appointed by the Minister of the Interior, who also, if necessary, shall select the managing bodies of the exchanges.

The Minister of the Interior may provide that certain of the recognised labour exchanges shall act as head exchanges for parts of the country.

When several communes are associated in the management of a labour exchange, the Minister of the Interior may permit such deviation from the rules contained in the present Act as may be rendered necessary by the co-operation of the communes.

6. A recognised labour exchange shall give information with respect to work of every kind. The information shall be given free of charge. The activity of the exchange shall be continued independently of any labour stoppage which may arise.

When satisfactory information is sent from a trade organisation to the exchange to the effect that a stoppage of work has taken place; applicants for work shall be given the opportunity at the exchange of acquainting themselves with the fact, either by means of a notice posted up on the exchange premises or in some other manner, pursuant to the provisions to be laid down by the Minister of the Interior.

Detailed rules with regard to the working of the labour exchanges shall be laid down in regulations, which shall be drawn up by the communal council concerned, pursuant to a proposition from the board of the exchange—as regards the central exchange, by the whole communal council, after consultation with the Supervisory Council—and shall be approved by the Minister of the Interior. The exchange shall be bound to make use of the schedules, forms and other printed matter, which are authorised by the Minister of the Interior for use by exchanges.

Travelling expenses may be granted by the exchange to persons who are assigned work at a distance from their homes. Such assistance shall not, however, exceed half the cost of conveyance by railway or steamship.

7. A recognised labour exchange shall be bound to co-operate with the central exchange and with other recognised labour exchanges, pursuant to provisions to be laid down by the Minister of the Interior, and also to render assistance in the collection of labour statistics.

8. Recognised unemployment funds, which have offices or branches in the district for which a recognised labour exchange works, shall send to the labour exchange every week a list of all the members residing in the district who are receiving unemployment assistance, with an indication of the name and residence of each person in question. As far as possible the unemployment funds shall also send every week to the labour exchange a corresponding list of unemployed members who are not receiving unemployment assistance. In case work should be assigned by the management of an unemployment fund to one of the members mentioned on the said list due notice shall be given of the fact to the labour exchange.

The unemployment funds in question shall also be bound to render assistance in other ways to the recognised labour exchanges by means of information, pursuant to detailed provisions to be issued by the Minister of the Interior.

The Minister of the Interior may, if circumstances should render it desirable, after consultation with the Director of Labour Exchanges give permission, as an exception, for certain unemployment funds to be allowed exemptions with respect to the sending in of the lists mentioned in the first paragraph.

No labour exchange shall give outsiders any opportunity of acquainting themselves with the information received from the unemployment funds.

In assigning vacant positions the labour exchange, if there are several equally qualified applications for the post, shall, by preference assign the post to members of recognised unemployment funds.

When a post has been assigned by the labour exchange to a person seeking work, who is mentioned on the lists received from an unemployment fund, information of the fact shall be sent to the unemployment fund.

9. The business year of the labour exchange shall correspond with the financial year. Within a term to be prescribed by the Minister of the Interior, the exchange shall send in to the Minister of the Interior an extract of accounts, attested by the communal council concerned, for the last expired financial year, and a statement for the said financial year drawn up in the manner prescribed by the Minister.

10. The expenses necessitated in the working of a labour exchange shall, as regards counties, be defrayed by the county funds (for the Island of Bornholm, the joint county funds of the urban and rural district); as regards other communes by the communal funds. When several communes work an exchange jointly, the expenses shall be defrayed by the communes concerned in proportion to the number of inhabitants of the communes at the last general census, unless an arrangement has been arrived at between the parties for some other method of division, with the approval of the Minister of the Interior.

In the annual Finance Act, State assistance shall be granted to the recognised labour exchanges. The distribution of the amount granted shall be undertaken by the Minister of the Interior on the basis of the accounts received from the exchanges (*cf.* §9). The State assistance as regards any one exchange shall not exceed one-third of the expenses incurred by the exchange in question during the last expired business year.

The working expenses of the exchanges established by the Minister of the Interior (*cf.* §5) shall be defrayed in advance by the State Treasury, and the communes for which the exchanges in question work shall be assessed on the expiration of each financial year, in accordance with the rules laid down in the first paragraph above, subject to deduction of the amount which may have been assigned to the exchange from the State grant voted in the Finance Act.

11. This Act shall come into force on 1st July, 1913.

The Government is authorised to put it into force in the Faroe Islands by Royal Decree, with such alterations as may be required in view of the special conditions obtaining in the said islands.

II. France

Loi du 31 décembre 1913 modifiant les articles 9, 12, 160 et 164 du livre II. du code du travail et de la prévoyance sociale relatifs au travail dans les mines
(Bulletin du Ministère du Travail 1914, p. 1(*)).

Act amending §§9, 12, 160 and 164 of Book II. of the Code of Labour concerning work in mines. (31st December, 1913.)

1. §§9 and 12 of Book II. of the Code of Labour are repealed and replaced by the following provisions, which shall be codified and form §§9, 9a, 9b, 9c, 9d, 12, 12a, 12b of the said Book.

§9. The working day of workers employed underground in coal (fuel) mines shall not exceed eight hours.

This period shall be calculated for every shift and for every class of workers from the time when, according to the regulations, the last workers enter the shaft to the time when, according to the regulations, the first ascending workers arrive at the surface.

For mines which are entered by means of adits, the said period shall be calculated from the arrival at the face of the adit to the time of return to the same point. Nevertheless, if the face of the adit is at a distance of more than 1,200m. from the opening, and if no mechanical means for traversing the adit are available to the workers, the period shall be calculated from the time of arrival at the 1,200th metre in the said adit to the time of return to the same point.

§9a. In deviation from the provisions of the preceding Section, there shall be fixed by regulations, in accordance with the requirements of the service, the period of attendance at the face of the mine of the engine men and their assistants, the hangers-on, the horse drivers and their assistants, stable men, shot-firers, workers charged with the upkeep of the shafts and the apparatus serving for the circulation of air and water and for the conveyance of the staff as well as of the special workers not employed in the ordinary work of the mine. These regulations must be signed and approved by the engineer-in-chief of the Mineral District, in agreement with the miners' delegate, and must be brought to the knowledge of the persons interested by notices posted up.

§9b. Regulations duly drawn up, signed and published, as stated in §9a, shall make known to the workers of each shift and of each class the hour when descent commences and terminates, the duration of the collective intervals of rest, the hour at which the means for ascending will be placed at the disposal of the workers, as well as the total time to be taken in the ascent; the said regulations shall determine also, if necessary, the point corresponding to the face of the adit.

The regulations must be drawn up with due regard to the period reasonably required for the said operations, taking into account, on the one hand, the nature of the mine, and, on the other hand, the plant of the mine and its most suitable arrangement to ensure rapid conveyance, as well as the conditions of working and of maintenance.

The difference between the time required for ascending and that for descending shall not exceed one quarter of an hour ; nevertheless, this difference may be extended to half an hour, at most, in mines or shafts in which the necessity for so doing has been recognised by the Engineer-in-Chief of the Mineral District.

In case of complaint, the Minister of Labour shall give his decision in the matter, upon the advice of the General Mining Council.

§9c. It is prohibited to grant permission to the workers to do work in a manner contrary to the provisions of the signed regulations referred to in §§9a and 9b.

Nevertheless, workers may be allowed to descend after the regular hour fixed by the regulations for their particular class. In such a case the workers shall be subject, as regards the ascent, to the same obligations as the workers of their particular shift and class.

§9d. The provisions of the preceding Section shall in no way affect the agreements and customs, equivalent to agreements, by which, in certain undertakings, a shorter period than that established by the preceding Sections has been fixed as the normal working day.

§12. Temporary exemptions may be allowed by the Engineer-in-Chief of the Mineral District, either in consequence of an accident or for reasons of safety. In either of these cases the miners' delegates shall be consulted.

The owner of the undertaking may, in case of imminent danger, extend the working day on his own responsibility, while waiting for the authorisation which he shall be bound to request forthwith from the Engineer-in-Chief.

§12a. The owner of the undertaking, either in view of occasional requirements or of certain local customs, may also avail himself of exemptions for a period not exceeding 60 hours per annum and two hours per day, provided that he has given due notice to the Engineer of Mines.

These hours of exemption shall be optional.

Every period of more than 30 minutes shall be reckoned as a full hour, and no exemption shall be allowed for a period of less than half an hour.

The number of the hours of exemption shall be reckoned from 1st January to 31st December of every year.

§12b. In case of an exceptional crisis due to scarcity of fuel, or whenever national defence is concerned, the Government may authorise supplementary exemptions, the duration of which it shall determine.

2. In paragraph 2 of §160, Book II., of the Code of Labour, the words " §§9 to 13 " shall be replaced by the words " §§9 to 12b."

3. The following provision shall be codified in the form hereafter given, and shall constitute §164b of Book II. of the Code of Labour :

§164b. The penalties stipulated in the preceding Sections shall not be enforced when a worker has remained at the face after the hour fixed by the regulations, with a view to rendering assistance by reason of an accident, in order to avert an existing or an imminent danger, or by reason of *force majeure*, nor shall they be enforced when the fact that the working day has been exceeded is due, on the part of the worker, to a personal and exceptional infringement of §9 of this Book or of the instructions and rules contained in the regulations referred to in §§9a and b.

4. The following Sections are repealed :—

(1) §13 of Book II. of the Labour Code ;

(2) The second paragraph of §159 of the said Book.

Temporary Provisions.

5. The provisions of this Act shall come into force six months after its promulgation.

As a temporary measure, the working day may, during a period of two years from the time when the Act comes into force, be extended to eight and a half hours for the haulers, pushers-on, and wagon-loaders—that is to say, for all the staff specially employed in loading and hauling.

III. Germany

Bestimmungen über Hausarbeit in der Tabakindustrie (Nr. 4304). Vom 17. November 1913. (Reichs-Gesetzblatt 1913, No. 65, p. 751.)

Regulations with respect to home-work in the tobacco industry (No. 4304).
(Dated 17th November, 1913.)

In pursuance of §10 of the Home Work Act, dated 20th December, 1911* (Reichs-Gesetzblatt, p. 976) the Federal Council has issued the following regulations with respect to the manufacture and sorting of cigars, and the stripping of tobacco where such work is carried on as a home industry.

I.—Introductory Regulations.

1. The following Regulations shall apply to workshops in which operations are carried on for the manufacture of cigars or where cigars are sorted or tobacco stripped, provided that—

(1) A person employs on such work exclusively members of his own family ; or

(2) one or more persons carry on such work without being in the service of an employer who directs the work in the shop.

2. Workshops within the meaning of these Regulations shall include, in addition to workshops within the meaning of §105b, paragraph 1, of the Industrial Code, rooms which are used as sleeping or living rooms or for cooking, if the operations referred to in §1 are carried out in such rooms, as well as industrial workplaces in the open-air.

II.—Workrooms.

3. The stripping of tobacco, filler-making, rolling or sorting of cigars, unless done in the open-air, shall be carried out only in rooms which satisfy the following requirements :

(1) The floor of the rooms shall not be more than half a metre below the surrounding ground level and, if situated directly under the roof, the rooms shall be plastered or lined ;

(2) They shall be at least 2½m. in height ;

(3) They shall be provided with firm and impervious floors ;

(4) They shall be provided with windows opening directly into the open air and of sufficient number and size to give an ample supply of air and light to all parts of the rooms ; the windows shall be so arranged that at least half of their surface area can be opened ;

(5) The size of the rooms shall be so calculated that there are at least 10 cub. m. of air space for every person employed in the stripping of tobacco, filler making, rolling or sorting of cigars. Rooms which are used exclusively as workrooms need only have 7 cub. m. of air space for every person employed in the same.

4. The operations in connection with the manufacture of cigars and the stripping of tobacco shall not be carried on in sleeping rooms, and cigars shall not be sorted in such rooms. Nor shall any tobacco, half-finished goods, or finished cigars be stored in such rooms.

5. In living rooms, kitchens, and workrooms in which the operations of stripping the tobacco, filler making, rolling or sorting of cigars are carried on, tobacco shall not be mixed otherwise than in a moistened condition, and shall only be dried, if ample provision has been made, by suitable arrangements, against any dangers to health which might be connected with such operations.

* Text E.B. VII., p. 7.

In such rooms, tobacco or half-finished goods shall be stored only in such quantities as are required, on an average, for one day's work, and, if stored in tightly closed receptacles, only in such quantities as are required, on an average, for one week's work. In the said rooms, only such a quantity of cigars shall be stored as is manufactured, on an average, in one day, and, if kept in tightly closed receptacles, only such quantities as are manufactured, on an average, in one week.

III.—Employment of Children and Young Persons.

6. As regards the employment of children within the meaning of the Act relating to the employment of children in industrial concerns, dated 30th March, 1903* (Reichs-Gesetzbl., p. 113), the provisions of the said Act shall apply, with the following modifications :—

(1) Children shall not be employed by their own parents on work enumerated in §1 until after the completion of their 12th year of age, and they shall not be employed at all for third parties ;

(2) Other children forming part of the family shall not be employed at all on the said work.

Children within the meaning of the Act named in paragraph (1) shall not be employed in the manner referred to in §1 (2).

7. Children above the age of 13 who are no longer subject to compulsory attendance at national schools, and young persons between the ages of 14 and 16, shall not be employed in the work referred to in §1, between the hours of 8 p.m. and 8 a.m. At midday the work shall be interrupted by an interval of at least two hours. The Central Authority of the State or the Higher Administrative Authority may grant permission for the period of 12 hours, within which the employment of children no longer subject to compulsory school attendance, and of young persons, is admissible as aforesaid, to commence at an earlier hour, but not before 6 a.m. Children and young persons shall not be employed on Sundays and holidays, nor during the hours fixed by the regular Minister for religious instruction, preparation for confirmation, confession and Communion.

IV.—The Regulation of the Business.

8. Persons suffering from loathsome diseases shall not be employed on the work referred to in §1.

9. No person shall prepare cigars by using the mouth, or moisten cigar knives or cases with sputum.

10. Persons employed on the work referred to in §1 shall be prohibited from spitting on the floor in the workshops.

V.—Exemptions.

11. The Higher Administrative Authorities may grant exemptions from the provisions of §3 (2) within their district, or for certain parts of their district, if such provisions cannot be enforced without disproportionate hardship in view of the condition of the existing buildings.

12. The Higher Administrative Authorities may, upon application, grant exemptions from the provisions of §3 (2), (5), if the rooms in question are provided with an efficient arrangement for ample ventilation.

Exemptions from the provision of §3 (2) may be granted also with respect to rooms in which the air space for every person employed in the same is larger than that referred to in §3 (5).

13. The Lower Administrative Authorities may, upon application, grant exemptions from the provisions of §4 in the case of workshops in which the wrapping of finished fillers is carried on exclusively, provided that the provisions of §5, paragraph 2, with respect to the storing of tobacco, half-finished goods, or finished cigars can be complied with.

14. As regards the workshops existing at the time when these Regulations are issued, exemptions from the provisions of §3 may, upon application, be granted by the Lower Administrative Authority, for the period up to 1st January, 1919, and exemptions from the provision of §4 may be granted for the period up to 1st January, 1916.

* Text G.B. II., p. 1.

VI.—*Supervision and Inspection.*

15. Should the operations necessary in the manufacture of cigars, or the stripping of tobacco, or the sorting of cigars, be carried on as a home industry, the person who has the right of disposal of the room intended for a workshop, shall be bound to give written notice to the Local Police Authority, indicating the situation of the workshop, previous to the commencement of the work. The same rule shall apply, if it is intended to employ children or young persons [§6, paragraph 1 (1), §7], in the workshop.

The notices required in accordance with paragraphs 1 and 2 may be given jointly.

Paragraphs 1-3 shall apply, correspondingly, to concerns already existing at the time when these Regulations come into force.

16. As regards workshops of the kind referred to in §1, in so far as the work is not carried on in the open air, a certificate, signed by the Local Police Authorities, shall be obtained, stating that the rooms in which the work of stripping the tobacco, filler-making, rolling or sorting of cigars, is carried on, fulfil the requirements of §3 (1)-(4). In addition to this, the certificate must show:—

(1) The length, width and height of the said rooms;

(2) The air space in cub. metres;

(3) The number of persons who may be employed in the said rooms in accordance with §3 (5).

(4) Any exemptions from the provisions of §§3 and 4 granted by the competent Administrative Authority in accordance with §§11-14.

The person who has the right of disposal of the room used as workshop (§15) shall submit the said certificate for inspection at any time, upon request, to the Local Police Authority and the Industrial Inspectors (§139b of the Industrial Code) or the authorities entrusted, in place of the latter, with the inspection, in accordance with §17, paragraph 1, of the Home Work Act.*

17. Owners of industrial undertakings, who cause operations in connection with the manufacture of cigars or the stripping of tobacco or the sorting of cigars to be carried on outside their premises, in workshops of the kind referred to in §1, shall give out homework only to workshops with respect to which the certificate referred to in §16 is submitted to them.

They shall be bound to inform themselves, at suitable intervals, and at least once every six months, either personally or by authorised representatives, as to whether the arrangement and the working of the said workshops is in accordance with the requirements of §§3-5.

VII.—*Final Provision.*

18. The above Regulations shall come into force on 1st July, 1914; the Authorities referred to in §§11-14 may, however, grant the exemptions referred to in the said Sections in advance, and the Local Police Authorities may issue the certificate referred to in §16 in advance.

IV. Great Britain and Ireland

1. An Act to consolidate and amend the law relating to coal mines and certain other mines. 16th December, 1911. (1 and 2 Geo. V., ch. 50.)

[EXTRACT.]

APPLICATION OF ACT [§1].

PART I.—MANAGEMENT [§§2-28].

Managers [§§2-6]; *certificates of competency* [§§7-13]; *firemen, examiners and deputies* [§§14-15]; *inspection on behalf of workmen* [§16]; *returns, plans, notices and books* [§§17-24]; *miscellaneous* [§§25-28].

PART II.—PROVISIONS AS TO SAFETY [§§29-75].

Ventilation [§§29-31]; *safety lamps* [§§32-35]; *shafts and winding* [§§36-41]; *travelling roads and haulage* [§§42-48]; *support of roof and sides* [§§49-52]; *signalling* [§§53-54]; *provisions as to machinery* [§§55-59]; *electricity* [§60]; *explosives* [§61]; *prevention of coal dust* [§62]; *inspection as to safety* [§§63-66]; *withdrawal of workmen* [§67]; *miscellaneous* [§§68-75].

* Text E.B. VII., p. 7.

PART III.—PROVISIONS AS TO HEALTH [§§76-79].

PART IV.—PROVISIONS AS TO ACCIDENTS [§§80-85].

Notices of accidents [§§80-81] ; reports, investigations and inquests [§§82-84] ; rescue and ambulances [§85].

PART V.—REGULATIONS [§§86-90].

General and special regulations [§§86-87] ; publication of abstract of Act and of Regulations [§§88-90].

PART VI.—EMPLOYMENT [§§91-96].

Employment of boys, girls and women.

91. No boy under the age of 14 years, and no girl or woman of any age, shall be employed in or allowed to be for the purpose of employment in any mine below ground. Nothing in this Section shall apply to any boy who has been lawfully employed in any mine below ground before the passing of this Act.

92. With respect to boys, girls and women employed above ground in connection with any mine, the following provisions shall have effect :—

(1) No boy or girl under the age of 13 years shall be so employed, unless lawfully so employed before the passing of this Act ;

(2) No boy or girl of or above the age of 13 years and no woman shall be so employed for more than 54 hours in any one week or more than 10 hours in any one day ;

(3) No boy, girl or woman shall be so employed between the hours of nine at night and five on the following morning, nor on Sunday, nor after two o'clock on Saturday afternoon ;

(4) There shall be allowed an interval of not less than 12 hours between the termination of employment on one day and the commencement of the next employment ;

(5) A week shall be deemed to begin at midnight on Saturday night and to end at midnight on the succeeding Saturday night ;

(6) No boy, girl or woman shall be employed continuously for more than five hours, without an interval of at least half an hour for a meal, nor for more than eight hours on any one day, without an interval or intervals for meals amounting altogether to not less than one hour and a half ;

(7) No boy, girl or woman shall be employed in moving railway wagons, or in lifting, carrying or moving anything so heavy as to be likely to cause injury to the boy, girl or woman.

93. (1) The manager of every mine shall fix within the limits allowed by the foregoing Section, and shall specify in a notice in the prescribed form, which must be affixed at the mine—

(a) the period of employment ; and

(b) the times allowed for meals ;

and no boy, girl or woman shall be employed in connection with any mine, except during the period so fixed, but a different period and different times may be fixed for different persons and for different days.

(2) A change in the said period or times shall not be made oftener than once a quarter, unless for special cause allowed in writing by an inspector :

Provided that provision may be made by general regulations for allowing a different time to be substituted in case of any special emergency for the time for any meal fixed under this Section.

94. (1) The owner, agent or manager of every mine shall keep in the office at the mine a register, and shall cause to be entered in that register, in such form as the Secretary of State may from time to time prescribe, the name, age, residence, and date of first employment of all boys employed in the mine below ground, and of all boys, girls and women employed above ground in connection with the mine; and shall, on request, produce the register to any inspector, and to any officer of the local education authority, for the area in which the mine is situate, at all reasonable times, and shall allow any such inspector or officer to inspect and copy the same.

(2) The immediate employer of every boy, other than the owner, agent or manager of the mine, before he causes the boy to be below ground in any mine, shall report to the manager of the mine, or to some person appointed by that manager, that he is about to employ the boy in the mine.

95. If any person contravenes, or fails to comply with, or permits any person to contravene or fail to comply with, any provision of this Act with respect to the employment of boys, girls or women, or to the register of boys, girls and women, or to reporting the intended employment of boys, he shall be guilty of an offence against this Act; and, in the event of such contravention or non-compliance by any person whomsoever, the owner, agent and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this Act to prevent the contravention or non-compliance.

Wages.

96. (1) No wages shall be paid to any person employed in or about any mine at or within any licensed premises as defined by the Licensing (Consolidation) Act, 1910, or other house of entertainment, or any office, garden, or place belonging or contiguous thereto, or occupied therewith.

(2) The wages of all persons employed in or about any mine shall be paid weekly, if a majority of such persons so desire, and there shall be delivered to each such person a statement containing detailed particulars of how the amount paid to him is arrived at.

(3) Every person who contravenes or fails to comply with or permits any person to contravene or fail to comply with this Section, shall be guilty of an offence against this Act; and, in the event of any such contravention or non-compliance by any person whomsoever, the owner, agent and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this Section to prevent the contravention or non-compliance.

PART VII.—INSPECTORS [§§97-100].

Appointment of inspectors [§97]; *powers and duties of inspectors* [§§98-100].

PART VIII.—SUPPLEMENTAL [§§101-127].

Legal proceedings [§§101-108]; *miscellaneous* [§§109-127].

116. Any matter which under this Act is to be settled in manner provided by this Act for settling disputes shall be referred to such one of the panel of referees appointed under this Act as may be selected in manner provided by rules made for the purpose, and the decision of the referee shall be final:

Provided that no such matter shall be so referred unless the party making the objection or refusing compliance has served notice on the other party within the prescribed time and in the prescribed manner, and all objections not made within such time and in such manner shall be disregarded.

117. (1) Such number of persons as may be appointed by the reference committee hereinafter mentioned shall form a panel of persons to act as referees for the purposes of this Act.

(2) The reference committee may make rules as to the mode in which the referee in any particular case is to be selected, the procedure before a referee, and the cost of the proceedings before a referee (including the remuneration of the referee).

(3) The reference committee shall consist of the Lord Chief Justice of England, the Lord-President of the Court of Session, and such person specially qualified by eminence in mining knowledge as the Lord Chief Justice and the Lord President may select.

(SCHEDULES.)

2. An Act to prohibit and restrict children and young persons being taken out of the United Kingdom with a view to singing, playing, performing, or being exhibited, for profit. 15th August, 1913. (3 and 4 Geo. 5, ch. 7.)

1.—(1) If any person causes or procures any child or young person, or, having the custody, charge, or care of any child or young person, allows such child or young person, to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited, for profit, that person shall, unless, in the case of a young person, such a licence as is hereinafter mentioned has been granted, be guilty of an offence against this Act.

(2) A constable or any person authorised by a justice may take to a place of safety any child or young person in respect of whom there is reason to believe that an offence under this Section has been or is about to be committed, and the provisions of §20 of the Children Act, 1908, shall apply as if such an offence were an offence mentioned in the first Schedule to that Act.

(3) This Section shall not apply in any case where it is proved that the child or young person was only temporarily resident in the United Kingdom.

2.—(1) A police magistrate may grant a licence in such form as the Secretary of State may prescribe, and subject to such restrictions and conditions as the police magistrate thinks fit, for any young person to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited for profit, but no such licence shall be granted unless the police magistrate is satisfied—

(a) that the application for the licence is made by or with the consent of the parent or guardian of the young person ;

(b) that the young person is going out of the United Kingdom in order to fulfil a particular engagement ;

(c) that the young person is fit for the purpose ;

(d) that proper provision has been made to secure the health, kind treatment, and adequate supervision of the young person whilst abroad and his return to the United Kingdom at the expiration or revocation of the licence ;

(e) that a copy of the contract of employment or other document showing the terms and conditions of employment, drawn up in a language understood by the young person, has been furnished to the young person.

(2) A licence under this Section shall not be granted for more than three months, but may be renewed by a police magistrate from time to time for a like period, but no such renewal shall be granted unless the police magistrate is satisfied by a report of a British consular officer or other trustworthy person that the conditions of the licence are being complied with.

(3) Where a person applies for a licence or the renewal of a licence under this Section, he shall, at least seven days before making the application, give notice thereof to the chief officer of the police for the district in which the young person resides or resided, and that officer may make a report in writing on the case of the police magistrate, or may appear or instruct some person to appear before the police magistrate hearing the application and show cause why the licence should not be granted or renewed, and the police magistrate shall not grant or renew the licence unless he is satisfied that notice has been properly so given. The notice given by the applicant shall be accompanied by a copy of the contract of employment or other document showing the terms and conditions of employment, which copy shall be sent by the chief officer of police to the police magistrate.

(4) The police magistrate to whom application is made for the grant or renewal of a licence under this Section shall, unless he is satisfied that under the circumstances it is unnecessary, require the applicant to give such security, either by entering into a recognisance with or without sureties or otherwise as he may think fit for the observance of the restrictions and conditions contained in the licence, and the recognisance may be enforced in like manner as a recognisance for the doing of some matter or thing required to be done in a proceeding before a court of summary jurisdiction is enforceable.

(5) In any proceeding for enforcing a recognisance under this Section, a report of any British consular officer and any disposition made on oath before a British consular officer and authenticated by the signature of that officer respecting the observance or non-observance of any of the conditions or restrictions contained in a licence granted under this Act, shall, upon proof that the consular officer or deponent cannot be found in the United Kingdom, be admissible in evidence; and it shall not be necessary to prove the signature or official character of the person appearing to have signed any such report or deposition.

(6) Where a licence is granted under this Section, the police magistrate shall send to the Secretary of State for transmission to the proper consular officer such particulars as the Secretary of State may by regulation prescribe, and every consular officer shall register the particulars so transmitted to him and perform such other duties in relation thereto as the Secretary of State may direct.

(7) A licence granted under this Section may be revoked by the police magistrate at any time if he is satisfied that any of the conditions on which the licence was granted are not being complied with.

3.—(1) A person guilty of an offence against this Act shall, on summary conviction, be liable, at the discretion of the court, to a fine not exceeding one hundred pounds, or alternatively or in default of payment of such fine, or in addition thereto, to imprisonment with or without hard labour, for any term not exceeding three months:

Provided that, where the offender, by means of any false pretence or false representation, procures the child or young person to go out of the United Kingdom for any such purpose as aforesaid, he shall be liable on conviction on indictment to imprisonment, with or without hard labour, for any term not exceeding two years.

(2) Where proceedings are taken against any person under this Act in respect of any child or young person, and it is proved that the defendant caused or procured or allowed the child or young person to go out of the United Kingdom, and that the child or young person has, out of the United

Kingdom, been singing, playing, performing, or been exhibited, for profit, the defendant shall be presumed to have caused or procured or allowed such child or young person to go out of the United Kingdom for that purpose unless the contrary is proved :

Provided that, where the contrary is proved, the court may order the defendant to take such steps as the court directs to secure the return of the child or young person to the United Kingdom, or to enter into a recognizance to make such provision as the court may direct to secure the health, kind treatment, and adequate supervision of the child or young person whilst abroad, and his return to the United Kingdom at the expiration of such period as the court may think fit.

(3) Proceedings in respect of an offence or for enforcing a recognizance under this Act may be instituted at any time within three months from the first discovery by the person taking the proceedings of the commission of the offence or (as the case may be) the non-observance of the restrictions and conditions contained in the licence.

(4) The wife or husband of a person charged with an offence under this Act may be called as a witness either for the prosecution or defence and without the consent of the person charged.

4. For the purposes of this Act, the expression " police magistrate " means the chief magistrate of the metropolitan police courts or one of the other magistrates of the metropolitan police court in Bow Street, and the expression " chief officer of police "—

(a) with respect to the city of London, means the Commissioner of the City Police ;

(b) elsewhere in England has the same meaning as in the Police Act, 1890 ;

(c) in Scotland has the same meaning as in the Police (Scotland) Act, 1890 ;

(d) in the police district of Dublin metropolis, means either of the Commissioners of Police for the said district ;

(e) elsewhere in Ireland, means a district inspector of the Royal Irish Constabulary.

5.—(1) This Act may be cited as the Children (Employment Abroad) Act, 1913, and shall be construed as one with the Children Act, 1908* ; and that Act, the Children Act (1908) Amendment Act, 1910, and this Act may be cited together as the Children Acts, 1908 to 1913.

(2) This Act shall come into operation on the expiration of one month from the passing thereof.

3. **The Prevention of Accident Rules, 1911, dated 7th November, 1911, made by the Board of Trade pursuant to §1 (1) of the Railway Employment (Prevention of Accidents) Act, 1900 (63.4 Vict., c. 27).** [Statutory Rules and Orders 1911, No. 1058.]

4. **The Home Work Order of 9th February, 1912.** [Statutory Rules and Orders 1912, No. 158.]

In pursuance of §§107, 108, and 110 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

1. §107 (relating to lists of out-workers), §108 (relating to employment in unwholesome premises), and §110 (relating to the prohibition of home work in places where there is infectious disease) shall apply to the following classes of work :—

* Extract E.B. IV., p. 204, No. 2.

The manufacture of chocolates or sweetmeats, and any work incidental thereto.

2. The lists of out-workers required to be kept by §107 and the copies thereof shall be kept and made in the form and manner and with the particulars shown in the Schedule to the Home Work Order of 10th April, 1911.

3. This Order may be referred to as the Home Work Order of 9th February, 1912.

5. Order, dated 27th February, 1912, made by the Secretary of State, prescribing the qualifications of surveyors for the purposes of §§20 and 21 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50). [Statutory Rules and Orders 1912, No. 228.]

6. Order of the Secretary of State, dated 27th February, 1912, applying the provisions of §116 of the Factory and Workshop Act, 1901 (1 Edw. 7, c. 22), with modifications, to factories and workshops in which the manufacture of chocolates or sweetmeats is carried on. [Statutory Rules and Orders 1912, No. 234.]

In pursuance of §116 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

The provisions of the said Section shall apply, subject to the modifications hereinafter contained, to factories and workshops in which the undermentioned processes, or any of them, are carried on, and to out-workers employed in those processes and the occupiers and contractors by whom they are employed :—

The manufacture of chocolates or sweetmeats, and any work incidental thereto.

The said Section shall be modified so as to read as follows :—

(1) The occupier or contractor shall, for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the work and rate of wages applicable thereto, as follows :—

(a) He shall furnish every worker with written particulars of the rate of wages applicable to the work done by him in one of the following ways :—

(i.) by furnishing the worker with such particulars on each occasion when the work is given out to the worker ;

(ii.) by furnishing the worker at or before the time of his first employment on any class of work with a notice containing the particulars applicable to that class of work, and on every subsequent occasion when new rates are fixed, a further notice stating the new rates and the date from which they are to come into operation. If the worker accidentally loses or destroys his notice, another copy shall be furnished to him by the employer free of charge ;

(iii) by exhibiting in the case of persons employed in a factory or workshop such particulars on a placard in the department where the work is done.

(b) Such particulars of the nature and amount of the work to be done by each worker as affect the amount of wages payable to him shall be furnished in writing at the time when the work is given out to him. Provided that in the case of persons employed in a factory or workshop (i.) it shall not be necessary to furnish particulars of the nature of the work where the work is of a standard class which is sufficiently indicated by the materials given out and which is denoted in a placard exhibited as aforesaid and containing the rate of wage for the work by a description or name sufficiently indicating its nature ; (ii.) if particulars of the amount of work on which the worker is paid are not ascertainable until the work is completed, such particulars shall as soon as practicable after the completion of the work be furnished in writing to the worker or exhibited on a placard in the department in which the work is done.

(2) Where the work is given out to be done in common by a gang of workers the particulars required to be given shall be—

(a) the rate of wages applicable to the work to be done by the gang and the proportions (if fixed by the employer) according to which the wages of the several members of the gang are calculated ;

(b) such particulars of the work to be done by the gang as affect the amount payable to the gang.

The occupier may in lieu of furnishing each member of the gang with written particulars of the work, exhibit them on a placard in the department in which the work is to be done.

* Extract E.B. IX., p. 9, No. 1.

(3) If the worker is required to return any written particulars or to hand them on with the work to another worker, either (a) a copy shall be furnished to the worker which he may retain for his own use, or (b) a book shall be supplied to the worker in which he may enter such particulars: this book shall be produced by the worker for examination by the person receiving the work on behalf of the employer, who shall initial the entry if found correct.

(4) The particulars, either as to rate of wages or as to work, shall not be expressed by means of symbols.

(5) Any placard exhibited in pursuance of the foregoing provisions shall contain no other matter than particulars of rates of wages or of work as the case may be, and shall be affixed in such a position as to be easily read by all persons to whose work the particulars relate.

(6) If the occupier or contractor fails to comply with the requirements of this Section, he shall be liable for each offence to a fine of not more than ten pounds, and, in the case of a second or subsequent conviction within two years from the last conviction for that offence, not less than one pound.

(7) If anyone engaged as a worker in any of the aforesaid classes of work, having received such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(4) If anyone for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged to disclose such particulars, or with that object pays or rewards any such person, or causes any person to be paid or rewarded for so disclosing such particulars, he shall be liable to a fine not exceeding ten pounds.

In this Order the term "out-worker" means—

(a) Any workman employed in the business of a factory or workshop outside the factory or workshop, whether directly by the occupier thereof or by any contractor employed by him.

(b) Any workman employed by the occupier of any place from which work is given out or by a contractor employed by him in connection with the said work.

(c) Any contractor employed by the occupier of a factory or workshop on the business of the factory or workshop outside the factory or workshop, or employed by the occupier of a place from which work is given out in connection with the said work, except a contractor who does not personally do any part of the work which he undertakes.

Provided that in the last-mentioned case a person employing a contractor shall not be liable to a fine for any failure to furnish him with particulars if he shows to the satisfaction of the Court that he had reasonable ground for believing that the contractor was the occupier of a factory or workshop and that the work given out would be wholly done by persons employed by the contractor and no part thereof by the contractor personally.

So much of the Order of 15th November, 1909 * as relates to the manufacture of chocolates or sweetmeats is hereby repealed.

This Order shall come into force on 1st April, 1912.

7. Order, dated 2nd April, 1912, made by the Secretary of State, under §1 of the Mines Accidents (Rescue and Aid) Act, 1910† (10 Edw. VII. and 1 Geo. V., c. 15). [Statutory Rules and Orders 1912, No. 347.]
8. Regulations, dated 15th April, 1912, made by the Secretary for Scotland, in pursuance of the Shops Act, 1912‡ (2 and 3 Geo. V., c. 3). [Statutory Rules and Orders 1912, No. 386, S. 8.]
9. Order of the Secretary of State, dated 19th April, 1912, granting special exception:—Limewashing, etc. [Statutory Rules and Orders 1912, No. 404.]

In pursuance of §1 (4) of the Factory and Workshop Act, 1901, I hereby grant to parts of factories which are rooms in which lace making by machine is carried on the following special exception:—

The period within which the inside walls and ceilings or tops of such rooms are required (if they have not been painted with oil, or varnished, once at least within seven years) to be limewashed shall be twenty-six months, to date from the time when they were last limewashed.

* Text E.B. V., p. 112.

† Text E.B. VI., p. 32, No. 4.

‡ Text E.B. VII., p. 247, No. 2.

Provided that—

(1) the special exception shall not apply to any room which does not afford clear 800 cubic feet for each person employed therein ;

(2) the inside walls and ceilings or tops of such rooms shall be thoroughly swept at a date not less than ten months nor more than fourteen months from the time when they were last limewashed, and the date of such sweeping shall be recorded in the General Register ;

(3) nothing in this Order shall be taken to affect the obligation of keeping the factory in a cleanly state, as prescribed by sub-Section (1) of the said Section ;

(4) if it appear to an inspector that any part of a factory to which the exception applies is not in a cleanly state, he may, by written notice, require the occupier to limewash the same : and in the event of the occupier failing to comply with such requisition within two months from the date of the notice, the special exception shall cease to apply to such part of a factory.

10. Order of the Secretary of State, dated 21st May, 1912, under §35 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50), prescribing the manner of search of workmen for prohibited articles before the commencement of work. [Statutory Rules and Orders 1912, No. 510.]
11. The Explosives in Coal Mines Order of 21st May, 1912, regulating the supply, use, and storage of explosives. [Statutory Rules and Orders 1912, No. 511.]
12. Order of the Secretary of State, dated 22nd June, 1912, under §118 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50), prescribing the procedure to be observed for ascertaining and certifying the views of workmen. [Statutory Rules and Orders 1912, No. 634.]
13. Regulations, dated 3rd July, 1912, made by the Board of Trade establishing a Trade Board, under §11 of the Trade Boards Act, 1909† (9 Edw. 7, c. 22), for the ready-made and wholesale bespoke tailoring trade in Ireland engaged in making garments to be worn by male persons, and for those branches of the bespoke tailoring trade in Ireland which are engaged in making garments to be worn by male persons, and in which at least three persons or two female persons (in both cases exclusive of cutters) are engaged in making one garment [Statutory Rules and Orders 1912, No. 722.]
 1. A Trade Board shall be established for those branches of the Ready-made and Wholesale Bespoke Tailoring Trade in Ireland which are engaged in making garments to be worn by male persons, and for those branches of the Bespoke Tailoring Trade in Ireland which are engaged in making garments to be worn by male persons and in which at least three persons or two female persons (in both cases exclusive of cutters) are engaged in making one garment.
 2. The Board shall consist of not less than 23 and not more than 29 persons, namely, three appointed members, and members representing employers and workers, respectively, in equal proportions. The Chairman and Deputy Chairman shall be such of the members as may be nominated by the Board of Trade.
 3. Six members, representing employers in the above branches of trade who are occupiers of factories within the meaning of the Factory and Workshop Acts and are not habitually engaged in sub-contracting, shall be elected as follows :—
 - Three members by such employers in Belfast ;
 - One member by such employers in Dublin ;
 - One member by such employers in Cork ;
 - One member by such employers in Limerick.

A casual vacancy among members representing such employers shall be filled in the same manner.

* Extract E.B. IX., p. 9, No. 1.

† Text E.B.V., p. 23.

Four members, representing employers in the above branches of trade (other than those employers who are occupiers of factories within the meaning of the Factory and Workshop Acts and are not habitually engaged in sub-contracting), shall be elected as follows :—

- One member by such employers in Belfast ;
- Two members by such employers in Dublin ;
- One member by such employers in Cork.

A casual vacancy among members representing such employers shall be filled in the same manner.

4. Ten members, representing workers, shall be elected at meetings of workers in the above branches of trade as follows :—

One representative (being a man) at a meeting of men workers employed in factories in Belfast.

- One representative (being a man) at a meeting of other men workers in Belfast ;
- Two representatives (being women) at a meeting of women workers in Belfast ;
- One representative (being a man) at a meeting of men workers employed in factories in Dublin ;
- One representative (being a man) at a meeting of other men workers in Dublin ;
- One representative (being a woman) at a meeting of women workers in Dublin ;
- One representative (being a man) at a meeting of men workers in Cork ;
- One representative (being a woman) at a meeting of women workers in Cork ;
- One representative at a meeting of workers in Limerick.

A casual vacancy among members representing workers shall be filled in the same manner.

5. The election of representatives of employers and workers respectively shall be held under the supervision of the Board of Trade and in such manner as they may determine.

6. The Board of Trade may, after giving an opportunity to the Trade Board to be heard, extend the functions of the Trade Board by bringing within their scope any other branch of tailoring covered by paragraph (1) of the schedule to the Trade Boards Act. The Board of Trade shall give three month's notice of their intention to bring any such branch of work within the scope of the Trade Board by advertisement in the "Dublin Gazette," and so far as practicable in trade papers.

7. The Board of Trade may, if they think it necessary in order to secure proper representation of any classes of employers or workers, after giving an opportunity to the Trade Board to be heard, nominate additional representative members on the Trade Board, and such representative members may be nominated either for the whole term of office of the Board or for any part thereof. The number of such additional representative members shall not at any time exceed six, three on each side.

8. The term of office of the first Trade Board shall be three years.

9. Any representative of employers who ceases to be an employer and becomes a worker at the trade shall vacate his seat. Any representative of workers who becomes an employer in the trade shall also vacate his seat. The question of fact shall in each case be determined by the Chairman.

10. Every member of the Trade Board shall have one vote. If at any meeting of the Board the numbers of members present representing employers and workers, respectively, are unequal, it shall be open to the side which is in the majority to arrange that one or more of their members shall refrain from voting, so as to preserve equality. Failing such an arrangement, the Chairman, or in his absence the Deputy Chairman, may, if he thinks it desirable, adjourn the voting on any question to another meeting of the Board.

11. Any representative of employers or workers who fails without reasonable cause to attend one-half of the total number of meetings in one year shall vacate his seat, but shall be eligible to be elected or nominated again, as the case may be.

12. The Trade Board may be known under the short title of the Tailoring Trade Board (Ireland).

13. Any question upon the construction or interpretation of these Regulations shall in the event of dispute be referred to the Board of Trade for decision.

14. The Regulations made by the Board of Trade and dated 23rd August, 1910,* are hereby revoked.

* Text E.B. VI., p. 34, No. 6.

14. Order made by the Board for mining examinations, and approved by the Secretary of State, 1st August, 1912, under §9 (1) of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50), fixing the times and places for holding examinations. [Statutory Rules and Orders 1912, No. 1149.]
15. Rules made by the Board for mining examinations, and approved by the Secretary of State, 1st August, 1912, under §9 (2) of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50) for the conduct of examinations. [Statutory Rules and Orders 1912, No. 1150.]
16. Rules made by the Board for mining examinations, and approved by the Secretary of State, 1st August, 1912, under §9 (2) of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50) as to the qualifications of applicants for first and second class certificates of competency. [Statutory Rules and Orders 1912, No. 1151.]
17. Order of the Secretary of State, dated 23rd August, 1912, applying the provisions of §116 of the Factory and Workshop Act, 1901 (1 Edw. 7, c. 22), with modifications, to shipbuilding yards. (Statutory Rules and Orders 1912, No. 1297.)

In pursuance of §116 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

The provisions of the said Section shall apply, subject to the modifications hereinafter contained, to—

Non-textile factories and workshops which are shipbuilding yards so far as concerns the work of persons employed in the building or repairing of a ship.

The said Section shall be modified so as to read as follows :—

(1) The occupier or contractor shall, for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the work and rate of wages applicable thereto, as follows :—

(a) He shall furnish every worker with written particulars of the rate of wages applicable to the work done by him at or before the time of his first employment on the work and on every subsequent occasion when the rates are fixed or altered ; or he shall exhibit such particulars on a placard in the factory or workshop. Provided that if the rates are not ascertainable before the work is given out, the particulars shall be furnished to the worker in writing when the work is completed.

(b) Such particulars of the work done as affect the amount of wages payable to each worker shall be furnished to him in writing when the work is completed.

(2) Where the work is done in common by a gang of workers it shall be sufficient if the particulars of the work done by the gang and of the rate of wages applicable thereto are furnished to the member of the gang to whom the wages of the gang are paid by the employer.

(3) The particulars, either as to rate of wages or as to work, shall not be expressed by means of symbols.

(4) Any placard exhibited in pursuance of the foregoing provisions shall contain no other matter than particulars of rates of wages and shall be affixed in such a position as to be easily read by all persons to whose work the particulars relate.

(5) If the occupier or contractor fails to comply with the requirements of this Section, he shall be liable for each offence to a fine of not more than ten pounds, and, in the case of a second or subsequent conviction within two years from the last conviction for that offence, not less than one pound.

(6) If anyone engaged as a worker in the aforesaid class of work, having received such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(7) If anyone for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged to disclose such particulars, or with that object pays or rewards any such person, or causes any person to be paid or rewarded for so disclosing such particulars, he shall be liable to a fine not exceeding ten pounds.

* Extract E.B. IX., p. 9, No. 1.

(8) The Order of 30th December, 1909,* relating to Shipbuilding Yards so far as concerns the work of platers, riveters and caulkers is hereby repealed.

This Order shall come into force on 1st October, 1912.

18. Order of the Secretary of State, dated 17th October, 1912, under §116 of the Coal Mines Act, 1911† (1 and 2 Geo. V., c. 50), prescribing the time and manner of serving notices under that Section. [Statutory Rules and Orders 1912, No. 1539.]
19. The Explosives in Coal Mines Order of 15th October, 1912. [Statutory Rules and Orders 1912, No. 1540.]
20. Order of the Secretary of State, dated 24th October, 1912, under §35 (1) of the Coal Mines Act, 1911† (1 and 2 Geo. V., c. 50), authorising the use underground of apparatus for the re-lighting electrically of safety lamps. [Statutory Rules and Orders 1912, No. 1628.]
21. The Coal Mines (Reference) Rules, 1913, dated 8th January, 1913, made by the Reference Committee under §117 (2) of the Coal Mines Act, 1911† (1 and 2 Geo. V., c. 30). [Statutory Rules and Orders 1913, No. 10.]
22. The Home Work Order of 20th January, 1913. [Statutory Rules and Orders 1913, No. 91.]

In pursuance of Sections 107, 108, and 110 of the Factory and Workshop Act, 1901, I hereby make the following Order:—

 1. §107 (relating to lists of outworkers), §108 (relating to employment in unwholesome premises) and §110 (relating to the prohibition of home work in places where there is infectious disease) shall apply to the following classes of work:—
 - (1) The making or filling of Cosaques, Christmas Crackers, Christmas Stockings or similar articles or parts thereof, and any work incidental thereto.
 - (2) The weaving of any textile fabric, and any process incidental thereto.
 2. The lists of outworkers required to be kept by §107 and the copies thereof shall be kept and made in the form and manner and with the particulars shown in the Schedule to the Home Work Order of 10th April, 1911.
 3. This Order may be referred to as the Home Work Order of 20th January, 1913.
23. Rules, dated 17th January, 1913, made by the Board of Trade under §427 of the Merchant Shipping Act, 1894 (57 and 58 Vict., c. 60), to come into effect on 1st March, 1913, as to life-saving appliances. [Statutory Rules and Orders 1913, No. 245.]
24. Order of the Secretary of State, dated 13th March, 1913, under §33 of the Coal Mines Act, 1911† (1 and 2 Geo. V., c. 50), approving the "Oldham" miner's electric safety lamp for use in mines to which the Act applies. [Statutory Rules and Orders 1913, No. 296.]
25. Rule made by the Board for Mining Examinations, and approved by the Secretary of State, 18th March, 1913, under §9 (2) of the Coal Mines Act, 1911† (1 and 2 Geo. V., c. 50), amending the rules of 30th July, 1912, as to the qualifications of appliances for first and second class certificates of competency. [Statutory Rules and Orders 1913, No. 292.]
26. The Explosives in Coal Mines Order of 31st March, 1913. [Statutory Rules and Orders 1913, No. 359.]

* Text E.B. V., p. 116.

† Extract E.B. IX., p. 9, No. 1.

27. General Regulations, dated 1st April, 1913, made by the Secretary of State under §§57 and 86 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50), as to the hours of employment of winding enginemen; and Order of the Secretary of State, dated 1st April, 1913, prescribing the date after which under §57 (3) of the Act a winding engineman may not be employed for more than eight hours in any one day, except as provided by the general regulations. [Statutory Rules and Orders, No. 341.]
28. Order of the Secretary of State, dated 18th April, 1913, under §33 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50), approving the Gray-Sussmann electric safety lamps Nos. 3 and 4 for use in mines to which the Act applies. [Statutory Rules and Orders 1913, No. 431.]
29. Order of the Secretary of State, dated 3rd May, 1913, under §33 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50), approving the Ceag miner's safety lamp for use in mines to which the Act applies. [Statutory Rules and Orders 1913, No. 519.]
30. Order of the Secretary of State, dated 21st May, 1913, extending special exception :—Employment at night of male young persons of 16 years and upwards. [Statutory Rules and Orders 1913, No. 565.]

In pursuance of §59 of the Factory and Workshop Act, 1901, I hereby rescind so much of the Order of 4th May, 1903, as relates to the night employment of young persons in galvanising sheet metal and wire, and in pursuance of §54 of that Act I direct that the special exception by which a male young person may be employed during the night shall extend, so far as regards young persons of the age of 16 years and upwards, to the factories or parts thereof in which is carried on the process of

Galvanising sheet metal and wire,

subject to the conditions prescribed in Sub-section (1) of the said Section and to the following further conditions :—

(1) The exception shall apply to young persons employed in the process aforesaid.

(2) Every young person employed in pursuance of the exception shall be submitted by the occupier to the Certifying Surgeon for the district once at least in every six months for examination at the factory, for which examination the like fee shall be payable by the occupier as for examinations for certificates of fitness in pursuance of the Act, and a register of such examinations shall be kept at the factory in the prescribed form and containing the prescribed particulars.

(3) No young person who on examination is certified by the Certifying Surgeon, by signed entry in the register, to be unfit for such employment shall be employed again in pursuance of the exception without the written sanction of the Certifying Surgeon entered as above.

(4) No young person shall be employed in pursuance of the exception unless and until the occupier holds a certificate from the Inspector of the district to the effect that provision has been made to his satisfaction for compliance with the conditions specified in this Order.

31. Order of the Secretary of State, dated 21st May, 1913, extending special exception :—Employment at night of male young persons of 16 years and upwards. [Statutory Rules and Orders 1913, No. 564.]

In pursuance of §59 of the Factory and Workshop Act, 1901, I hereby rescind so much of the Order of 4th May, 1903, as relates to the night employment of young persons in factories in which reverberatory or regenerative furnaces are used, and in pursuance of §54 of that Act I direct that the special exception by which a male young person may be employed during the night shall extend, so far as regards young persons of the age of 16 years and upwards, to that part of any factory in which

Reverberatory or regenerative furnaces

are used and are necessarily kept in operation day and night in order to avoid waste of material or fuel, subject to the conditions prescribed in Sub-section (1) of the said Section and to the following further conditions :—

* Extract E.B. IX., p. 9, No. 1.

(1) The exception shall apply only to young persons employed in such processes requiring to be carried on continuously throughout the night as are defined in the certificate of the Inspector hereinafter mentioned.

(2) Every young person employed in pursuance of the exception shall be submitted by the occupier to the Certifying Surgeon for the district once at least in every six months for examination at the factory, for which examination the like fee shall be payable by the occupier as for examinations for certificates of fitness in pursuance of the Act, and a register of such examinations shall be kept at the factory in the prescribed form and containing the prescribed particulars.

(3) No young person who on examination is certified by the Certifying Surgeon, by signed entry in the register, to be unfit for such employment shall be employed again in pursuance of the exception without the written sanction of the Certifying Surgeon entered as above.

(4) No young person shall be employed in pursuance of the exception unless and until the occupier holds a certificate from the Inspector of the district to the effect that provision has been made to his satisfaction for compliance with the conditions specified in this Order, which certificate shall define the processes to which the exception applies.

32. Order of the Secretary of State, dated 14th June, 1913, rescinding special exceptions :—Employment at night of male young persons of 16 years and upwards. [Statutory Rules and Orders 1913, No. 639.]

In pursuance of §59 of the Factory and Workshop Act, 1901, I hereby rescind so much of the Order of 4th May, 1903, as relates to the night employment of young persons in factories engaged in the refining of loaf sugar, in mineral dressing floors in Cornwall, and in factories and workshops connected with lead and zinc mines; and I also rescind the Orders relating to the night employment of young persons of 9th August, 1904, 18th February, 1905, and 10th April, 1911, extending the special exception by which a male young person may be employed during the night.

Provided that any young person who was lawfully employed in pursuance of any of the said Orders on 29th April, 1913, may continue to be so employed as if this Order had not been made.

- 33. Order of the Secretary of State, dated 27th June, 1913, under §33 of the Coal Mines Act, 1911,* (1 and 2 Geo. V., c. 50), approving certain types of safety lamps for use in mines to which the Act applies. [Statutory Rules and Orders 1913, No. 713.]**
- 34. General Regulations, dated 10th July, 1913, made by the Secretary of State, under §86 of the Coal Mines Act, 1911* (1 and 2 Geo. V., c. 50). [Statutory Rules and Orders 1913, No. 748.]**
- 35. The Safety Lamps Order, dated 26th August, 1913, under Sec. 33 of the Coal Mines Act, 1911,* approving certain types of safety lamps for use in mines to which the Act applies, and consolidating the previous Orders of 14th January, 13th March,† 18th April,‡ 3rd May,** and 27th June, 1913.†† (Statutory Rules and Orders 1913, No. 886.)**
- 36. General Regulations, dated 29th August, 1913, under §§77 (2) and 86 of the Coal Mines Act, 1911,* determining what are sufficient and suitable accommodation and facilities for taking baths and drying clothes; and as to the constitution, powers and duties of Committees of Management, under §§77 (5) and 86. (Statutory Rules and Orders 1913, No. 950.)**
- 37. The Explosives in Coal Mines Order, dated 1st September, 1913, regulating the supply, use and storage of explosives. (Statutory Rules and Orders 1913, No. 953.)**
- 38. Regulations, dated 4th September, 1913, under §77 (3) of the Coal Mines Act, 1911,* as to procedure and costs of references in regard to the cost of maintenance of washing and drying accommodation and facilities. (Statutory Rules and Orders 1913, No. 955.)**

* Extract E.B. IX., p. 9, No. 1.

† Title E.B. IX., p. 21, No. 28.

†† Title E.B. IX., p. 22, No. 33.

‡ Title E.B. IX., p. 20, No. 24.

** Title E.B. IX., p. 21, No. 29.

39. Order of the Secretary of State, dated 30th July, 1913, extending the provisions of the Workmen's Compensation Act, 1906 (6 Edw. 7, c. 58), to writer's cramp and consolidating the Orders of 22nd May, 1907, and 2nd December, 1908, with an amendment. [Statutory Rules and Orders 1913, No. 814.]

In pursuance of the power conferred on me by §8, Sub-section 6, of the Workmen's Compensation Act, 1906.* I hereby make the following Order :—

(1) Subject to the modifications hereinafter specified, the provisions of §8 of the Workmen's Compensation Act, 1906, shall extend and apply to the diseases, injuries, and processes, specified in the first and second columns of the Schedule annexed to this Order, as if the said diseases and injuries were included in the first column of the Third Schedule to the Act, and as if the said processes were set opposite in the second column of that Schedule to the diseases or injuries to which they are set opposite in the second column of the Schedule annexed hereto.

(2) A glass worker suffering from cataract shall be entitled to compensation under the provisions of the said Section, as applied by this Order, for not more than six months in all, and for not more than four months unless he has undergone an operation for cataract.

(3) A person suffering from writer's cramp shall be entitled to compensation under the provisions of the said Section, as applied by this Order, for not more than 12 months.

(4) In the application of the provisions of §8 to telegraphist's cramp, so far as regards a workman employed by the Postmaster-General, the Post Office Medical Officer under whose charge the workman is placed shall, if authorised to act for the purposes of the said Section by the Postmaster-General, be substituted for the Certifying Surgeon.

(5) The Orders of 22nd May, 1907,† and 2nd December, 1908,‡ made under §8, Sub-section 6, of the Workmen's Compensation Act, 1906, are hereby revoked, except as regards cases arising before the date of this Order.

SCHEDULE.

Description of Disease or Injury.	Description of Process.
1. Poisoning by nitro- and amido-derivatives of benzene (dinitro-benzol, anilin, and others), or its sequelæ.	Any process involving the use of a nitro- or amido-derivative of benzene or its preparations or compounds.
2. Poisoning by carbon bisulphide or its sequelæ.	Any process involving the use of carbon bisulphide or its preparations or compounds.
3. Poisoning by nitrous fumes or its sequelæ.	Any process in which nitrous fumes are evolved.
4. Poisoning by nickel carbonyl or its sequelæ.	Any process in which nickel carbonyl gas is evolved.
5. Arsenic poisoning or its sequelæ ..	Handling of arsenic or its preparations or compounds.
6. Lead poisoning or its sequelæ.. ..	Handling of lead or its preparations or compounds.
7. Poisoning by <i>Gonioma Kamassi</i> (African boxwood) or its sequelæ.	Any process in the manufacture of articles from <i>Gonioma Kamassi</i> (African boxwood).
8. Crome ulceration or its sequelæ ..	Any process involving the use of chromic acid or bi-chromate of ammonium, potassium, or sodium, or their preparations.
9. Eczematous ulceration of the skin produced by dust or liquids, or ulceration of the mucous membrane of the nose or mouth produced by dust.	—

* Text E.B. I., p. 18.

† Text E.B. VI., p. 36, No. 7.

‡ Text E.B. IV., p. 90.

Description of Disease or Injury.	Description of Process
10. Epitheliomatous cancer or ulceration of the skin or of the corneal surface of the eye, due to pitch, tar or tarry compounds.	Handling or use of pitch, tar, or tarry compounds.
11. Scrotal epithelioma (chimney-sweep's cancer).	Chimney-sweeping.
12. The disease known as Miner's Nystagmus, whether occurring in miners or others, and whether the symptom of oscillation of the eyeballs be present or not.	Mining.
13. Glanders	Care of any equine animal suffering from glanders; handling the carcase of such animal.
14. Compressed air illness or its sequelæ..	Any process carried on in compressed air.
15. Subcutaneous cellulitis of the hand (beat hand).	Mining.
16. Subcutaneous cellulitis over the patella (miner's beat knee).	Mining.
17. Acute bursitis over the elbow (miner's beat elbow).	Mining.
18. Inflammation of the synovial lining of the wrist joint and tendon sheaths.	Mining.
19. Cataract in glass workers	Processes in the manufacture of glass involving exposure to the glare of molten glass.
20. Telegraphist's cramp	Use of telegraphic instruments.
21. Writer's cramp	—

40. Regulations, dated 9th August, 1913, made by the Secretary of State, under §79 of the Factory and Workshop Act, 1901 (1 Edw. 7, c. 22), for the manufacture of chromate and bichromate of potassium or sodium. [Statutory Rules and Orders 1913, No. 844.]

In pursuance of §79 of the Factory and Workshop Act, 1901, I hereby make the following Regulations, and direct that they shall apply to all factories and workshops or parts thereof in which is carried on

The manufacture of chromate or Bichromate of potassium or sodium.

These Regulations shall come into force on 1st September, 1913.

**Definitions.*

In these Regulations:—

"*Chrome process*" means manipulation, movement or other treatment of chromate or bichromate of potassium or sodium.

"*Surgeon*" means the Certifying Factory Surgeon of the district or a duly qualified medical practitioner appointed by written certificate of the Chief Inspector of factories, which appointment shall be subject to such conditions as may be specified in that certificate.

"*Suspension*" means suspension from employment in any *chrome process* by written certificate in the Health Register signed by the Surgeon, who shall have power of suspension as regards all persons employed in any *chrome process*.

"*Efficient exhaust draught*" means localised ventilation effected by heat or mechanical means, for the removal of steam or dust so as to prevent them from escaping into the air of any place in which work is carried on.

Duties.

It shall be the duty of the occupier to observe Part I. of these Regulations.

It shall be the duty of every person employed to observe Part II. of these Regulations.

* Terms to which defined meanings are given are printed throughout the Regulations in italics.

Part I.—Duties of Occupiers.

1. With regard to every uncovered fixed vessel, whether pot, pan, vat or other structure, containing any corrosive liquid :—
 - (a) Each such vessel shall, unless its edge is at least 3 feet above the adjoining ground or platform, be securely fenced ;
 - (b) For the purposes of paragraph (a) of this Regulation no fencing shall be deemed to be secure unless it extends to a height of at least 3 feet above the adjoining ground or platform : provided however that paragraph (b) of this Regulation shall not apply—
 - (i.) to any vessel constructed before 1st January, 1899 ; or
 - (ii.) where a height of 3 feet is impracticable by reason of the nature of the work to be carried on ;
 - (c) No plank or gangway shall be placed across any such vessel unless such plank or gangway is—
 - (i.) at least 18 inches wide ; and
 - (ii.) securely fenced on both sides ; either by upper and lower rails, to a height of 3 feet, or by other equally efficient means ;
 - (d) Where such vessels adjoin, and the space between them either—
 - (i.) affords foothold, and is not fenced as in paragraph (c) (ii.) of this Regulation, or
 - (ii.) is less than 18 inches in width, clear of any brick or other work surrounding them,
 a secure barrier shall be so placed as to prevent passage between them.
2. All dangerous places near to which persons are employed or near to which they have to pass, shall be efficiently lighted by day and night.
3. Grinding, unless done with slow moving edge runners, and sieving the raw materials, evaporating, and packing shall not be carried on except either—
 - (a) with an *efficient exhaust draught* ; or
 - (b) in such manner as will prevent escape of dust or fume into the air of any place at which work is carried on.
4. No person under 18 years of age and no female shall be employed in any *chrome process*.
5. (a) Every person employed in a *chrome process* shall be examined by the Surgeon once in every calendar month on a date, or dates, of which due notice shall be given. The Surgeon shall undertake any necessary medical treatment of lesions contracted in consequence of such employment.
 - (b) A Health Register containing the names of all persons employed in any *chrome process* shall be kept in a form approved by the Chief Inspector of Factories.
 - (c) No person after *suspension* shall be employed in any *chrome process* without written sanction from the Surgeon, entered in the Health Register.
6. Requisites (approved by the Surgeon) for treating slight wounds and ulcers shall be kept at hand and be placed in charge of a responsible person.
7. There shall be provided—
 - (a) sufficient and suitable overall suits for the use of all persons engaged in grinding the raw materials, which overall suits shall be washed, cleaned or renewed at least once every week ; and
 - (b) sufficient and suitable protective coverings for the use of all persons engaged in the crystal department and in packing ;
8. There shall be provided suitable respirators for the use of all persons employed in packing bichromate of potassium or sodium ; which respirators shall be washed or renewed at least once every day.
9. There shall be provided and maintained for the use of all persons employed in any *chrome process*—
 - (a) a suitable meal room ;
 - (b) a suitable place or places for clothing put off during working hours ;
 and
 - (c) a suitable place or places for the storage of overall suits provided in pursuance of Regulation 7 (a) ; which place or places shall be separate from that required by paragraph (a) of this Regulation.
10. There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in any *chrome process*—
 - (a) a lavatory, under cover, with a sufficient supply of clean towels, renewed daily, and of soap and nail brushes, and with either—

(i.) a trough with a smooth impervious surface fitted with a waste-pipe, without plug, and of sufficient length as to allow of at least two feet for every five such persons employed at any one time, and having a constant supply of warm water from taps or jets above the trough at intervals of not more than two feet; or

(ii.) at least one lavatory basin for every five such persons employed at any one time, fitted with a wastepipe and plug, and having either a constant supply of hot and cold water or warm water laid on, or (if a constant supply of heated water be not reasonably practicable) a constant supply of cold water laid on, and a supply of hot water always at hand when required for use by such persons;

and for the use of all persons employed in the crystal department or in packing—

(b) sufficient and suitable bath accommodation with hot and cold water laid on and a sufficient supply of soap and towels.

11. A Bath Register shall be kept containing a list of all persons employed in the crystal department and packing, and an entry of the date when each person takes a bath.

Part II.—Duties of Persons Employed.

12. Every person employed in a *chrome process* shall present himself at the appointed time for examination by the *Surgeon*, in pursuance of Regulation 5 (a).

13. No person employed shall, after *suspension*, work in any *chrome process* without written sanction from the *Surgeon*, entered in the Health Register.

14. Every person employed in any *chrome process* shall deposit in the place or places provided in pursuance of Regulation 9 (b) all clothing put off during working hours.

15. Every person for whose use an overall suit is provided in pursuance of Regulation 7 (a) shall wear the overall suit when employed in grinding the raw materials, and, on leaving the premises, deposit it in the place provided under Regulation 9 (c).

16. Every person for whose use a respirator is provided in pursuance of Regulation 8 shall wear the respirator while employed in packing.

17. Every person employed in grinding the raw materials, or in the crystal department, or in packing, shall, before leaving the premises, thoroughly wash the face and hands.

18. Every person employed in the crystal department or in packing shall take a bath at the factory at least once a week; and, having done so, he shall at once sign his name in the Bath Register with the date; provided that

This Regulation shall not apply in the case of a workman who is unwell.

19. No person shall take a meal in the crystal department.

20. No person employed shall interfere in any way, without the concurrence of the occupier or manager, with the means provided for the carrying out of these Regulations.

41. Form of Licence and Regulation, dated 27th August, 1913, made by the Secretary of State under §2 of the Children (Employment Abroad) Act, 1913* (3 and 4 Geo. 5, c. 7). [Statutory Rules and Orders 1913, No. 885.]

In pursuance of the powers conferred on me by §2 of the Children (Employment Abroad) Act, 1913,

(1) I prescribe the annexed form of licence for use under that Section.

(2) I make the following regulation:—

The particulars to be sent by a police magistrate to the Secretary of State for transmission to the proper consular officer where a licence is granted for a young person to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited, for profit, shall be as follows:—

(a) The name and address of the young person.

(b) The date and place of birth, and, where known, the nationality of the young person.

(c) The name and address of the applicant for the licence.

(d) Where the father, mother, or guardian is not the applicant for the licence, the name and address of the father, mother or guardian.

(e) Particulars of the engagement, with the place or places at which and the period or periods during which the young person is to sing, play, perform, or be exhibited.

(f) Copy of the contract of employment or other document showing the terms and conditions of employment.

(g) Copy of the licence.

* Text E.B. IX., p. 12, No. 2.

FORM OF LICENCE.

CHILDREN (EMPLOYMENT ABROAD) ACT, 1913.

3 and 4 Geo. V., cap. 7, sec. 2.

Licence for a young person to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited, for profit.

Whereas (a) _____ being [or having the consent of] the parent [or guardian] of (b) _____ a young person of the age of _____ years, born, so far as can be ascertained, on _____, has made application to me for a licence for the said young person to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited, for profit :

And whereas I am satisfied that the young person is going out of the United Kingdom in order to fulfil a particular engagement : that the young person is fit for the purpose ; that proper provision has been made to secure the health, kind treatment, and adequate supervision of the young person whilst abroad and his [or her] return to the United Kingdom at the expiration or revocation of the licence ; and that a copy of the contract of employment or other document, showing the terms and conditions of employment, drawn up in a language understood by the young person, has been furnished to him [or her] :

I do grant licence for the said (b) _____ to go out of the United Kingdom for _____ months for the purpose of fulfilling the aforesaid engagement, subject to the restrictions and conditions set out below [(c) for the observance of which the aforesaid (a) _____ is to give security by entering into a recognizance for the sum of _____ pounds, with _____ sureties, each in the sum of _____ pounds].

(d) { Chief Magistrate of the Police Courts
of the Metropolis.
A Magistrate of the Metropolitan
Police Court at Bow Street.

The conditions and restrictions referred to above are :—

FORM OF RENEWAL OF LICENCE.

CHILDREN (EMPLOYMENT ABROAD) ACT, 1913.

3 & 4 Geo. V., cap. 7, s. 2.

Renewal of Licence for a young person to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited, for profit.

Whereas application has been made to me by (e) _____ for the renewal of the licence granted on _____ for (f) _____ to go out of the United Kingdom for _____ months for the purpose of singing, playing, performing, or being exhibited, for profit :

And whereas I am satisfied by the report of (g) _____ that the conditions of the licence are being complied with :

I hereby renew the said licence for a period of _____ months from (h) _____.

(i) { Chief Magistrate of the Metropolitan
Police Courts.
A Magistrate of the Metropolitan
Police Court in Bow Street.

FORM OF REVOCATION.

CHILDREN (EMPLOYMENT ABROAD) ACT, 1913.

3 & 4 Geo. V., cap. 7, s. 2.

Revocation of Licence for a young person to go out of the United Kingdom for the purpose of singing, playing, performing, or being exhibited, for profit.

Whereas I am satisfied that the conditions of the licence granted on _____ for (j) _____ to go out of the United Kingdom for _____ months for the purpose of singing, playing, performing, or being exhibited, for profit, are not being complied with, I hereby revoke the said licence.

(k) { Chief Magistrate of the Metropolitan
Police Courts.
A Magistrate of the Metropolitan
Police Court in Bow Street.

V. British Colonies

SOUTH AFRICA.

Act to make provision for persons who have contracted miners' phthisis, and for other purposes incidental to that disease. No. 19, 1912. (Assented to 22nd June, 1912.)

1. In this Act, unless inconsistent with the context—

“dependants” shall mean such members of a miner's family specified in the First Schedule to this Act as are wholly or in part dependent upon him for maintenance at the date of his death;

“employer” shall mean any person who is the immediate holder or lessee of a mine which for the time being is included in the list published in the *Gazette* under §2 of this Act, or the legal representative of such person, and in the case of a mine owned by an incorporated or registered company the term employer shall include every director or secretary or representative of the company in the Union, and in the case of a mine owned by an unincorporated body of persons shall include every member of that body in the Union;

“medical practitioner” shall mean a person registered as such under any law in force in any part of the Union regulating the registration of medical practitioners;

“miner” shall mean any person of European descent who before or after the commencement of this Act, performs or has performed as his regular occupation any class of work below the surface of a mine for the time being included in the list published in the *Gazette* as in §2 is provided, whether he be engaged under an agreement, express or implied, or oral, or in writing, and whether payment be made by time or calculated upon the work done; but this definition shall not include a manager or managing director of any mine;

“miners' phthisis” shall mean *silicosis* of the lungs;

“Minister” shall mean the Minister of Mines, or any other Minister to whom the Governor-General may from time to time assign the administration of this Act;

“native labourer” shall have the same meaning as is assigned to that expression in the Native Labour Regulation Act, 1911.

“the Board” shall mean the Miners' Phthisis Board constituted under this Act;

“the Director” shall have the same meaning as is assigned to that expression in the Native Labour Regulation Act, 1911;

“the funds” shall mean the Miners' Phthisis Compensation Fund and the Miners' Phthisis Insurance Fund established under this Act.

2. The Minister shall at the commencement of this Act frame a list of mines in the Union wherein the mineral dust produced by mining operations is, in his opinion, of such a nature as to cause miners' phthisis, and may from time to time add or withdraw names of mines from such list. The list and any additions thereto or withdrawals therefrom shall be published in the *Gazette*.

3. (1) There shall be constituted a Board (to be styled the Miners' Phthisis Board) which shall be appointed by the Minister, and shall consist of a chairman and three other members who shall hold office for a period of three years and shall be eligible for re-appointment. Of those three members one

shall be selected by the Minister to represent the owners of mines for the time being included in the list published under §2, and one to represent the miners employed upon those mines.

(2) The Minister may appoint alternates to act during the absence or incapacity of any person appointed, and may further for good cause shown remove any member from the Board or may, in manner hereinbefore provided, fill any vacancy occurring from any cause whatsoever. An alternate so appointed shall represent the owners of mines or the miners, according as the person for whom he is appointed to act represented owners of mines or the miners. If a vacancy occur in the office of chairman the other member of the Board who has not been appointed to represent the owners or miners shall act as chairman until a new chairman is appointed by the Minister, and the person so acting shall be the chairman of the Board for all the purposes of this Act.

(3) Every meeting of the Board shall be convened by the secretary on the authority of the chairman, and the chairman and one other member of the Board shall be a quorum for the purpose of any of its proceedings.

(4) All matters which come before the Board for its decision at any meeting shall be decided by a majority of members present at that meeting, and, if upon any matter there be an equality of votes, the chairman shall have a casting vote in addition to his deliberative vote.

(5) The Minister shall appoint a secretary to the Board and such other persons as may be necessary for the efficient administration of the funds.

(6) Each member of the Board (other than a person who is an officer of the public service) shall be paid such remuneration as may be prescribed from time to time by the Minister.

(7) All salaries or other remuneration paid to any member of the Board and to its secretary and other officials, as well as all other administration and valuation expenses, and all fees and expenses paid by the Board under §28 to medical practitioners shall be paid out of the Consolidated Revenue Fund.

4. A fund (to be styled the Miners' Phthisis Compensation Fund) shall, subject to the provisions of this Act, be established and exist for the payment of benefits to persons entitled thereto who make application for such payment within the period of two years immediately succeeding the commencement of this Act or to whom allowances have been granted under Act No. 34 of 1911.

The fund shall be vested in and administered by the Board, and shall consist of—

(a) contributions made under §5;

(b) any interest received from investments of the fund;

(c) the contribution mentioned in §7;

(d) the balance of any fund standing at the date of this Act to the credit of the Board established under Act No. 34 of 1911.

5. (1) From and after the commencement of this Act and in respect of claims arising within two years immediately succeeding such commencement there shall be levied by the Board during every three months, subject to the provisions of Sub-section (2) of this Section, such sums as may on a report from an actuary appointed under §13, be required for the purpose of paying benefits under this Act during that period of three months. The amount to be so levied from each employer shall be assessed in proportion to the average number of miners employed per month by such employer during the period of three years immediately preceding each such period of three months, or the portion of such three years during which there was production or development on his mine.

(2) During any period of twelve months from the commencement of this Act or from the anniversary of such commencement the amount so levied from any employer in the case of a producing mine shall not, so long as the contribution of one hundred thousand pounds referred to in §7 is unexhausted, exceed the amounts of the average quarterly profit earned by him during his previous financial year, such profit being determined as provided by the Mining Taxation Act, 1910. The Board shall, before assessing the amount due by each employer under this Section, ascertain the amount of such profit from the Commissioner for Inland Revenue, who, notwithstanding anything to the contrary contained in §15 of the said Act, shall furnish a statement of such amount when requested to do so by the Board.

(3) The Government Mining Engineer shall, within one month from the commencement of any such period of three months, furnish to the Board a statement showing the average number of miners employed referred to in Sub-section (1).

6. (1) In lieu of the contributions to be paid by any employer under §5, the Board may accept from such employer an amount to be determined by an actuary appointed by the Minister, and such amount shall be deemed to be paid in full settlement of all future contributions still payable by such employer under §5.

(2) The Board may call upon any employer to give security to the satisfaction of the Board for the payment of all future contributions to be paid under §5, or, failing such security demand the payment of a capital sum in lieu of such contributions. Such capital sum shall be determined by the actuary mentioned in Sub-section (1).

7. (1) Notwithstanding anything to the contrary in §53 of Act No. 35 of 1908 of the Transvaal, by which the moneys accruing to the Crown under lease or other contract disposing of the right to mine for precious metals underneath places which immediately prior to the commencement of that Act were subject to the provisions of article *one hundred and eighteen* of Law No. 15 of 1898, were paid into a special account and set aside pending the direction of Parliament, a sum of one hundred thousand pounds shall be paid to the fund by appropriation of Parliament during the financial year ending the thirty-first day of March, 1913, and such appropriation shall be deemed to be in reduction of the proceeds of the disposal of the undermining rights under the said Act: Provided that in the event of Parliament allocating any portion of the said proceeds to any person the said appropriation shall not be taken in reduction of any allocation so made.

(2) A separate account shall be kept of the said one hundred thousand pounds and the Board shall from time to time draw therefrom such amount as may be necessary to make up the difference between the amount of the contribution which would have been payable by each employer under Sub-section (1) of §5 and the average quarterly profit referred to in Sub-section (2) of that Section.

(3) If the contribution of one hundred thousand pounds is not exhausted when all claims mentioned in §4 have been satisfied the balance shall be placed to the credit of the Insurance Fund hereinafter mentioned.

8. A fund (to be styled the Miners' Phthisis Insurance Fund) shall, subject to the provisions of this Act, be established and exist for the payment of benefits to persons entitled thereto who make application therefor at any time after the expiration of the period of two years immediately succeeding the commencement of this Act.

Such fund shall be vested in and administered by the Board, and shall consist of—

- (a) contributions made under §§9 and 14;
- (b) any interest received from investments of the fund;
- (c) any fines recovered for an offence against this Act or any law or regulation prescribed for the laying of dust or for the improvement of ventilation or generally for the prevention of miners' phthisis in mines;
- (d) any donations or legacies to the fund.

9. (1) Subject to the provisions of this Act there shall be paid from the commencement thereof to the Miners' Phthisis Insurance Fund by every employer a contribution on or before the tenth day of every month in respect of every person employed underground during the previous month as a miner—

- (a) during the period of two years immediately following upon the commencement of this Act an amount equal to 5 per cent. of the earnings of such person during such previous month;
- (b) after the expiration of the said period of two years an amount equal to $7\frac{1}{2}$ per cent. of such earnings.

(2) The employer shall be entitled to deduct from the earnings of every such person—

- (a) during the period of two years immediately succeeding the commencement of this Act, one-half of any amount contributed under this Section in respect of such person;
- (b) after the expiration of the said period of two years, one-third of any amount contributed under this Section or §14 by such employer in respect of such person.

(3) The employer shall, when forwarding his monthly contribution under this Section, transmit a true and correct statement to the Board showing the number of such persons employed by him during the previous month and the manner in which his monthly contribution was ascertained. The Board may require that the accuracy of such statement be verified on oath and may have the books of the company examined by any person authorised by it for the purpose of checking the statement.

(4) The employer shall for the purpose of this Section preserve and keep all monthly time books and pay sheets, which may be necessary for the purpose of verifying or checking statements made under Sub-section (3).

10. (1) All moneys due to the funds shall be paid into special and separate accounts at a bank or banks, approved by the Minister, and kept in the name of the Board. No moneys shall be withdrawn from either of the funds except on a cheque issued under the authority of the Board and signed by the chairman and the secretary of the Board.

(2) The Board may from time to time, but subject to the approval of the Minister, invest any portion of the balance of each of the funds in Union Government Stock or in Stock guaranteed by the Union Government or in Union Treasury Bills, or on fixed deposit with a bank approved by the Minister.

11. If any amount payable by an employer under this Act is not paid as therein provided, it may be recovered, together with costs and interest, from the employer by action in a competent court at the suit of the chairman of the Board.

12. (1) The Board shall cause full and true accounts to be kept, showing separately, and in respect of each of the funds—

- (a) the investments of the fund ;
- (b) all sums received by or due to the fund from any source ;
- (c) all amounts paid out by the Board ;
- (d) all ascertained liabilities of the fund ;
- (e) all particulars necessary to admit of an actuarial valuation of the fund being made in accordance with this Act.

(2) The Board shall cause the books and accounts of each of the funds to be balanced every year up to the anniversary of the commencement of this Act, and a balance-sheet to be made up showing as at that anniversary the assets of the fund, including the investments and the existing and accruing liabilities thereof.

(3) The balance-sheets shall be signed by the chairman of the Board, and shall be submitted to the Minister together with an annual report containing a financial statement showing the expenditure in connection with the administration of this Act, and such further information as the Board may deem necessary.

(4) The balance-sheets, together with the accounts of the Board aforesaid, shall be audited by the Controller and Auditor-General of the Union as if they were accounts of public moneys. The report of the Controller and Auditor-General upon such accounts and balance-sheets, together with the annual report aforesaid, shall be by the Minister laid upon the Tables of both Houses of Parliament, within seven days after their receipt by him, if Parliament be then in session, or if Parliament be not then in session, within seven days after the commencement of its next ensuing session.

13. The funds shall as at every anniversary of the commencement of this Act, be valued and reported upon in each year by an actuary appointed by the Minister. The said actuary shall report the result of his valuation to the Minister, and in his report shall indicate the changes (if any) which are necessary to maintain the funds in a sound financial position.

14. (1) If the actuary's valuation in respect of the Miners' Phthisis Insurance Fund disclose a surplus beyond the estimated liabilities, existing and accruing, of the fund, the contribution to be made by every employer under Sub-section (1) of §9 shall be reduced by such amount as the Minister may determine.

(2) If the actuary's valuation disclose a deficiency or an estimated deficiency the contribution to be made by every employer under Sub-section (1) of §9 shall be increased to such extent as the Minister may determine.

15. (1) Any holder or lessee of a mine which for the time being is not included in the list published under §2 or any number of persons, other than native labourers, employed in any such mine not being less than one-third of such persons so employed, may petition the Minister in writing to include the mine in the list published under §2. The Minister shall thereupon order such investigation thereof as he may deem fit and as the result of such investigation he may either include or refuse to include that mine in the list.

(2) Any employer or any number of miners not being less than one-third of the miners so employed in any mine may likewise petition the Minister on the ground of the improved health conditions of the mine to exclude or remove that mine from the said list and the Minister shall thereupon order such investigation as he may deem fit and as the result of such investigation he may, if he thinks fit, remove such mine from the said list or reduce the amount of the contribution payable in respect of such mine.

(3) The result of the investigation referred to in Sub-sections (1) and (2) of this Section and the orders thereon shall be published in the *Gazette*.

16. The Board shall make an award, in accordance with §21 to any miner who—

- (a) makes a claim therefor in manner hereinafter provided; and
- (b) satisfies the Board in manner hereinafter provided that he has contracted miners' phthisis; and
- (c) satisfies the Board that he has been employed underground for a period or periods amounting to at least two years of the four years immediately preceding the date of his claim, on any mine or mines which have at any time been included in a list published under §2 :

Provided that the Board may, in the case of any miner who satisfies the Board that he has contracted miners' phthisis on the mines included in any list published under §2, make an award though the miner has been so employed for a shorter period than is mentioned in paragraph (c).

17. (1) For the purpose of determining any matter in relation to any of its functions, the Board may summon witnesses to give evidence or produce documents or any article or thing which it may deem requisite for properly inquiring into the matter.

(2) Any person so summoned who fails without reasonable excuse to comply with the terms of the summons, shall be guilty of an offence and liable on conviction before a magistrate's court to a fine not exceeding ten pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding one month.

(3) Any person, whether summoned or not, who while under examination refuses to answer to the best of his knowledge and belief all questions lawfully put to him by or with the concurrence of the Board, or who wilfully insults the Board or wilfully interrupts the proceedings, shall be guilty of an offence and liable on such conviction as is mentioned in Sub-section (2) to the penalties therein mentioned.

(4) The Board may administer an oath to any witness, and, if any witness to whom an oath has been so administered give false evidence, material to the issue, knowing it to be false, he shall be guilty of an offence and liable on conviction to the penalties prescribed by law for perjury.

(5) Any person summoned as aforesaid shall have the same privileges in respect of answering questions or producing documents as he would have under the same circumstances if he were summoned as a witness before a superior court.

18. (1) Where the Board is satisfied—

- (a) that any award made by it under this Act has been obtained by fraud or in other improper manner; or
- (b) that any person has been erroneously included or not included in any award under Sub-section (1) (c) of §21,

the Board may set aside or vary the award and may make such award (including an award as to any sum already paid under the award) as under the circumstances the Board thinks fit.

(2) An application under this Section to set aside or vary an award shall not be made after the expiration of six months from the date of the award except by leave of the Board.

19. Any award of a monthly payment of benefits may at any time and from time to time on an application made for that purpose be reviewed by the Board and on any such review the payments may be ended, suspended, diminished or increased, but not beyond the maximum fixed in this Act, or may be revived after any period of suspension, or the award may be otherwise varied, but so that the benefit so awarded is in conformity with the provisions of this Act. Any application for such review shall be made within six months from the award of the Board.

20. Subject to the provisions of this Act, the decision of the Board upon any matter in relation to any award or to any other of its functions, shall be final and conclusive, and shall not be subject to review by or appeal to any court of law.

21. (1) Subject to the provisions of this Section, the benefits to be awarded under this Act shall be—

(a) to a miner who shows definite physical signs of miners' phthisis and whose capacity for underground work is thereby not seriously or permanently impaired, the sum of eight pounds per month for a period not exceeding one year ;

(b) to a miner who has contracted miners' phthisis in a marked degree and whose physical capacity for underground work is thereby seriously and permanently impaired, the sum of eight pounds per month, but not exceeding four hundred pounds in all : Provided that where a monthly payment has been awarded to a miner under this Sub-section the Board may, if it is satisfied that the special circumstances of the case warrant it, extend the period of such payment so that the payments made to such miner will exceed four hundred pounds. All such cases shall be specially reported on by the Board under §12 of this Act ;

(c) to the dependants, in the order of preference described in the First Schedule to this Act, of a miner who is proved to the satisfaction of the Board to have died while a beneficiary under this Act or while his claim to any benefit thereunder was being investigated by the Board, such monthly payments as the Board may decide, but not exceeding in all an amount representing the difference between four hundred pounds and any sums already paid to the miner under this Act and under Act No. 34 of 1911 ;

(d) to the dependants of a miner who not having lodged a claim with the Board is proved to the satisfaction of the Board to have died of miners' phthisis and to have been qualified to receive an award under this Act, or under Act No. 34 of 1911, such monthly payments as the Board may deem fit, not being less than eight pounds per month and not exceeding in the aggregate the sum of four hundred pounds.

(2) The Board may at any time, and in its discretion and on application, award to any beneficiary under this Act, in lieu of the payments specified in Sub-section (1) of this Section a single sum not exceeding the difference between ninety-six pounds or four hundred pounds (as the case may be) and any sums already paid to or on account of such beneficiary.

(3) Any beneficiary under this Act may, at the discretion of the Board, be granted a passage to a place outside the Union, for himself and for any person dependant upon him for support, and upon arrival at his destination he shall be paid the balance remaining after deduction of the cost of such passage from the amount calculated as in Sub-section (2) of this Section.

(4) The Board may, in its discretion, pay in respect of any miner who is proved to its satisfaction to have died from miners' phthisis while a beneficiary under this Act, or while his claim to any benefit thereunder is being investigated by the Board, the reasonable expenses of his medical attendance and burial not exceeding twenty pounds.

(5) No benefits from either fund shall be payable in respect of the death or incapacity of any miner who has at the time of entering any employment after the commencement of this Act wilfully or falsely endorsed upon his certificate that he is free from the disease.

22. (1) Any person who is employed upon underground work in any mine for the time being included in the list published under §2 who is not a miner (as in §1 defined), or a native labourer may elect that for so long as he is so employed deductions shall be made by his employer from his earnings in accordance with the provisions of §9.

(2) If the person so electing notify the Board in writing that he does so elect, he shall be entitled—

(a) if his application be made within a period of two years after the commencement of this Act, to benefits within the discretion of the Board not exceeding one half of those which may be awarded under this Act to a miner; and

(b) if his application be made after the expiry of that period, to the benefits which may be awarded under this Act to a miner,

according to the circumstances applicable in each case.

(3) If such person does not so elect he shall be entitled to the benefits which under §30 may be awarded to a native labourer in the circumstances described in that Section and the provisions of that Section shall apply.

23. (1) A miner who desires to obtain benefits under this Act shall transmit his claim to the Board with a statement showing that he was employed underground upon a mine or mines included in the list published under §2 and the period or periods during which he was so employed.

(2) The Board shall, within fourteen days after receipt of the claim, require the miner to submit himself to examination by two medical advisers selected by the Board from the list mentioned in §28.

(3) The two medical advisers aforesaid shall furnish a certificate to the Board stating whether the miner is suffering from miners' phthisis and whether he is to be treated as coming under paragraph (a) or (b) of Sub-section (1) of §21. In case the two medical advisers are unable to agree they shall notify the Board, which shall select from the list aforesaid a third medical adviser, and the majority of the three medical advisers shall furnish to the Board a certificate stating the opinion of such majority.

(4) The certificate furnished under Sub-section (3) shall be conclusive evidence for the purposes of this Act of the condition of the miner, and the Board shall award benefits in accordance therewith.

(5) The certificate furnished under Sub-section (3) shall, if the miner be suffering from tuberculosis of the lungs or respiratory organs, disclose the fact.

24. Whenever under this Act it is necessary to ascertain the length of time during which a miner has been employed upon underground work by any employer, the time shall be reckoned as including Sundays and any day declared or appointed under law a public holiday.

25. (1) Every employer shall cause any person seeking to obtain employment on his mine as a miner, to be examined by a medical practitioner named by the Minister, and shall not employ that person underground unless such medical practitioner furnish a certificate that the said person is of sound physique and is not suffering from miners' phthisis or tuberculosis of the lungs or respiratory organs :

Provided that this Sub-section shall not apply in respect of any person having a discharge ticket from an employer on a mine included in the list published under §2 at the commencement of this Act or a discharge ticket furnished under Sub-section (2).

(2) Every employer shall, upon the discharge from his mine of any person who has been employed by him as a miner, furnish that person with a discharge ticket showing the period during which he has worked on such mine and the work upon which he was engaged during that period. The ticket shall be in the form set out in the Second Schedule to this Act, and shall contain no information other than is therein prescribed.

(3) Any employer who fails to comply with any provision of this Section, shall be guilty of an offence and shall be liable upon conviction to a fine of ten pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding one month.

26. (1) Any person who works underground—

(a) in a mine included in the list prescribed under §2 who is or has been a beneficiary under Sub-section (1) (a) or (1) (b) of §21 of this Act or under Act No. 34 of 1911 ; or

(b) in any mine whatever, knowing that he is suffering from tuberculosis of the lungs or respiratory organs,

shall be guilty of an offence.

(2) Any person who knowingly employs upon underground work—

(a) in a mine included in the list prescribed under §2, any person who is or has been a beneficiary under this Act or under Act No. 34 of 1911 ; or

(b) in any mine whatever, any person who is suffering from tuberculosis of the lungs or respiratory organs,

shall be guilty of an offence :

Provided that this Section shall not apply in the case of any person who produces a certificate from a medical adviser mentioned in §28 that is he no longer suffering from miners' phthisis : Provided further that, if he again becomes entitled to benefits under this Act, any amounts already paid to him under this Act or Act No. 34 of 1911 shall be deducted from such further benefits.

(3) Any person guilty of an offence against this Section shall be liable on conviction to a fine not exceeding one hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding six months, and if the offender be a company, any director, secretary, manager, mine manager, or mine overseer thereof who is within the Union, shall be liable to prosecution and punishment for the offence. Any fine recovered under this Section shall be paid into the funds.

27. Any certificate which, having been issued under the Mines and Works Act, 1911, or any amendment thereof, or any regulation made thereunder, entitles the holder to perform any class of underground work in mines included in the list prescribed under §2—

- (a) if such certificate is held by a person who is or has been a beneficiary under Sub-section (1) (a) or (1) (b) of §21, or under Act No. 34 of 1911; or
- (b) if such certificate is held by a person suffering from tuberculosis of the lungs or respiratory organs.

shall—

- (i.) upon the report of the Board in the case described in paragraph (a); or
- (ii.) upon the certificate by a medical practitioner that the holder is so suffering, in the case described in paragraph (b),

be endorsed accordingly by the issuing authority.

28. (1) The Minister shall from time to time publish in the *Gazette* a list of medical practitioners qualified to act as medical advisers under this Act.

(2) In respect of any certificate furnished by a medical adviser under §23 a fee to be prescribed by regulation shall be payable by the Board to every such adviser who signs the certificate (other than an officer in the public service) and there shall further be payable any expenditure authorised by the Board for special investigation.

29. If a miner die from miners' phthisis before he has made a claim as required by this Act, such claim may be made by his executors on behalf of his dependants, if any, provided that the Board is satisfied that the miner died of miners' phthisis and was qualified to receive an award under this Act, and if a miner die, after making his claim as required by this Act, such a claim may be continued by his executor on behalf of his dependants if any.

30. (1) Whenever a native who is or has been a native labourer and has been employed upon underground work in any mine for the time being included in the list published under §2, contracts miners' phthisis, there shall be deemed to have happened to him a personal injury arising out of and in the course of his employment amounting to—

- (a) partial incapacitation when he has contracted miners' phthisis to the extent described in Sub-section (1) (a) of §21;
- (b) permanent total incapacitation, when he has contracted miners' phthisis to the extent described in Sub-section (1) (b) of §21.

and he shall be entitled to obtain the sums respectively provided by §22 of the Native Labour Regulation Act, 1911, to be assessed by the Director according as his case falls under paragraph (a) or paragraph (b) of this Sub-section.

(2) No such sum shall be payable in respect of any such native labourer unless the Director has been furnished with a certificate from one of the medical advisers on the list mentioned in §28 of this Act stating that the said native labourer is suffering from miners' phthisis. The sums so payable shall be paid to the Director on behalf of the native labourer—

- (a) if he is still employed as aforesaid, then by the employer to whose service he is registered under the said Act; or
- (b) if he is no longer so employed, then by the employer to whose service he was last registered under the said Act;

and shall be paid over by the Director to the said native labourer or his dependant.

The procedure for claiming or recovering any sum under this Section shall be as prescribed by regulation made under this Act.

(3) In the case where a native labourer is proved to the satisfaction of the Director to have died of miners' phthisis and also to have had a wife, child, parent, or other person dependant upon him, such person shall be entitled to the sum of ten pounds.

(4) Whenever a medical officer upon a mine for the time being included in the list published under §2, becomes aware that any such native labourer employed upon that mine is suffering from miners' phthisis, such medical officer shall forthwith report the fact in writing to the manager of the mine who shall forthwith transmit a copy of the report to the Director aforesaid. If any person on whom a duty is imposed by this Section fail to perform that duty, he shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding six months.

31. Any provision in a contract existing at the commencement of this Act, whereby a miner or native labourer or other person waives any right to any benefits whatever (whether under this Act or otherwise) in respect of his having contracted miners' phthisis, shall not be construed as preventing in the case of a person who is not a native labourer, him or his executor, or in the case of a native labourer, the Director, from obtaining benefits under this Act and any provision under any contract executed after the commencement of this Act whereby any person waives his rights to benefits under this Act shall be null and void.

32. Any contributions due and owing under this Act by an employee—

(a) at the date of the sequestration of his estate; or

(b) at the date of the commencement of the winding up, if the employer be a company which is being wound up otherwise than for purposes of reconstruction or amalgamation,

shall have priority over all other debts of the employer except debts due as wages and such other debts as by law are preferent to wages.

33. No amount payable as benefits under this Act shall be assignable or transferable or be capable of being hypothecated or pledged nor shall any such amount be liable to be attached or subjected to any form of execution under a judgment or order of any court of law.

34. (1) For the purpose of ascertaining the prevalence of miners' phthisis on any mine, the Minister may authorise the Mines Medical Inspector or any medical practitioner to make a medical examination of every person employed underground upon such mine, and every such person who fails when required to submit himself to such medical examination shall be liable on conviction to a fine not exceeding fifty pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding three months.

(2) The result of any such examination and the identity of any person examined shall not be divulged by any person into whose hands the results of such examination may come except to a person preparing a report for statistical purposes under the direction of the Minister and no such result shall be used for other but statistical purposes.

(3) Any person who divulges the result of any such examination in contravention of this Section shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds, or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

35. The Governor-General may make regulations, not inconsistent with this Act, as to all or any of the following matters :—

- (a) the administration of the funds ;
- (b) the procedure to be observed before the Board in connection with benefits and claims under this Act ;
- (c) the procedure at any of the meetings of the Board ;
- (d) the procedure to be followed in connection with claims under §§22 and 30 ;
- (e) the forms to be used under this Act ;
- (f) the duties to be performed and the fees to be charged by medical advisers and practitioners under this Act ;

and generally as to the better carrying out of the objects and purposes of this Act.

36. Anything to the contrary notwithstanding in this Act contained, every miner and every dependant of a miner to whom allowance has been granted under Act No. 34 of 1911 and the regulations made thereunder shall, after the commencement of this Act, be entitled to receive benefits under §21 of this Act from the Miners' Phthisis Compensation Fund, according to the circumstances in that Section mentioned :

Provided that in calculating in respect of any person the benefits mentioned in that Section any allowance granted to that person under Act No. 34 of 1911, and the regulations made thereunder shall be taken into account.

37. (1) The Governor-General may, out of moneys specifically appropriated by Parliament for the purpose, incur expenditure for investigating the means of preventing, and for the better carrying out of any regulations lawfully made to prevent, miners' phthisis.

(2) The Minister may constitute a committee to investigate and report and to advise him upon the means of prevention of dust and all matters affecting health conditions underground in the mines of the Witwatersrand.

Such committee shall have power to enter and examine any mine and any part thereof at any time by day or night but not so as to impede the working of the mine, and to take samples of air therein and make experiments with a view to determining the amount of dust and the health conditions in such workings and shall report thereon from time to time to the Minister.

The members of such committee (not being officers of the public service) shall receive such fees for their services as may be decided on by the Minister.

38. If any employer fail to carry out any order given by competent authority for the prevention of miners' phthisis, he shall be liable on conviction to a fine not exceeding five hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding twelve months, and if such employer be a company, any such person as is described in Sub-section (3) of §26, shall be liable to prosecution and to punishment for such failure.

39. This Act may be cited for all purposes as the Miners' Phthisis Act, 1912, and shall commence and come into operation on the first day of August, 1912.

FIRST SCHEDULE.

The order of preference in which dependants shall have a right to be paid any benefits awarded under this Act shall be—

- (1) The wife, and any son or daughter, legitimate or illegitimate, or step-son or step-daughter of the deceased miner; failing whom
- (2) The father, mother, step-father or step-mother of the deceased miner; failing whom
- (3) A brother, sister, half-brother, half-sister of the deceased miner and any children of such persons; failing whom
- (4) A grandfather, grandmother, grandson or granddaughter of the deceased miner; failing whom
- (5) Any other relative of the deceased miner by consanguinity or affinity.

SECOND SCHEDULE.

DISCHARGE TICKET.

Name of Holder
 Signature of Holder.....
 Name of Mine
 Class of Employment
 Date of Engagement
 Date of Discharge
 Signature of Manager or Secretary

2. Act to consolidate and amend the laws in force in the various Provinces of the Union relating to prohibited immigrants, to provide for the establishment of a Union Immigration Department, to regulate immigration into the Union or any Province thereof, and to provide for the removal therefrom of undesirable persons. [No. 22, 1913.] Assented to 14th June, 1913.

I.

Administration of Act.

I. (1) The Governor-General may establish, and, out of the moneys voted by Parliament for the purpose, maintain a department to be known as the Immigration Department, which shall be under the control of the Minister

(2) The function of the department shall be the performance of all work, whether within or outside the Union, necessary for or incidental to the prevention of the entrance of prohibited immigrants into the Union or into any Province wherein their residence is, under this Act or any other law, unlawful, or necessary for or incidental to their removal from the Union or any such Province. The department shall further carry out any other powers and duties specially conferred or imposed upon it by this Act or by any other law.

2. (1) The Governor-General shall appoint so many boards as he may deem desirable for the summary determination of appeals by persons who, seeking to enter or being found within the Union or any Province, have been detained, restricted, or arrested as prohibited immigrants. Each such board shall have jurisdiction in respect of such port or ports of entry and such areas in the Union as the Governor-General may determine.

(2) Each board shall consist of three or more persons and each member shall hold office for such period, not exceeding one year, as may be expressed in his appointment. Every such member shall be eligible for re-appointment. Remuneration at rates fixed by the Governor-General from time to time shall be payable to such members of boards as are not officers of the public service.

(3) The chairman of a board shall be designated by the Governor-General, and shall, whenever possible, be a magistrate. In the absence of the chairman the members of the board shall choose one of its members to act as chairman.

(4) A board shall, save as is otherwise specially provided in the next succeeding Section, have exclusive jurisdiction at the port or ports of entry and within the area assigned to it to hear and determine any appeal made by a person detained, restricted, or arrested as a prohibited immigrant.

(5) Whenever leave to enter the Union or any particular Province is withheld by any immigration officer or police officer, or when any person is detained, restricted or arrested as a prohibited immigrant, notice of that fact and the grounds of refusal, detention, restriction or arrest shall be given by such officer in writing to the said person, and, if such person has been restricted on arrival by sea, also to the master of the ship on which he has arrived.

(6) Every such person may appeal to the board having jurisdiction under this Section. For the purposes of this Sub-section, "person" shall include an alien.

(7) No appeal shall be heard by a board unless notice thereof in the prescribed form has been given to the immigration officer by or on behalf of the person concerned within three days after the refusal, detention, restriction or arrest aforesaid, or in case the appellant arrived by sea and the ship whereon he arrived is about to depart, unless such notice is given forthwith. In every case a deposit shall be made of an amount sufficient, in the opinion of the Minister, to cover the detention expenses of the said person, the costs of bringing him before a board and of returning him to the place at which he was restricted if he desire to appear personally, and if he arrived by sea, the cost of his return passage by another ship to the place from which he came.

(8) The hearing of an appeal by a board shall take place as soon as possible after notice thereof is lodged. The hearing shall be in the presence of the appellant if he desire to appear. The appellant shall have the right to be represented at the appeal by counsel, an attorney, or an enrolled law agent.

(9) A board may, in manner prescribed by regulation, summon witnesses to give evidence or to produce documents, and may, through the chairman or other person for the time being lawfully acting as such, administer an oath to any witness. Any person who, when summoned to give evidence or to produce documents, fails, without reasonable excuse, to comply with the terms of the summons or who, whether summoned or not, refuses, while under examination, to answer to the best of his knowledge or belief, all questions put to him by or with the concurrence of a board or who wilfully interrupts the proceedings thereof, shall be guilty of an offence and liable on conviction to a fine not exceeding five pounds, or in default of payment, to imprisonment with or without hard labour for a period not exceeding one month: Provided that any witness shall have the same privileges in respect of answering any question or producing any document as he would have if such question were asked of him or such document was to be produced by him before a superior court.

(10) If any such witness to whom an oath has been administered as aforesaid give false evidence material to the question under the consideration of a board, knowing such evidence to be false, he shall be guilty of an offence and liable on conviction to the penalties prescribed by law for perjury.

(11) All evidence adduced before a board shall be taken down in writing. Save as is provided in the next succeeding Section, the decision of a majority of a board upon an appeal shall be final and conclusive, except that the Minister may, in special cases, vary or modify any decision which would have the effect of causing the removal of the appellant from the Union or any Province.

(12) Save as in Sub-section (11) is excepted, if a board decide that an appellant is a prohibited immigrant in respect of the Union or any Province, or if the appellant does not prosecute the appeal, such steps may forthwith be taken in respect of him by an immigration officer as would have been taken if the appeal had not been lodged.

Provided that if the appeal be prosecuted and a question of law is reserved under the next succeeding Section, no such steps shall be taken unless the court determine that the appellant is such a prohibited immigrant.

Provided further that a further deposit shall be made of such amount as the Minister may determine to cover the cost of the appellant's detention until the decision of the court is given.

3. (1) No court of law in the Union shall, except upon a question of law reserved by a board as in this Section provided, have any jurisdiction to review, quash, reverse, interdict or otherwise interfere with any proceeding, act, order or warrant of the Minister, a board, an immigration officer or a master, had done or issued under this Act, and relating to the restriction or detention, or to the removal from the Union or any Province of a person who is being dealt with as a prohibited immigrant.

(2) A board may, of its own motion, and shall, at the request of the appellant or of an immigration officer, reserve for the decision of a superior court having jurisdiction, any question of law which arises upon an appeal heard before such board under the last preceding Section, and shall state such question in the form of a special case for the opinion of such court by transmitting such special case to the registrar thereof. The question so stated may be argued before such court which may call for further information to be supplied by the board if the court shall deem such information necessary and may give such answer on such case, supplemented by such information, if any, and may make such order as to the costs of the proceedings as it may think right.

(3) For the purposes of this Section—

“a question of law” shall, among other questions, include a question of domicile; and “a superior court having jurisdiction” shall mean the provincial division of the Supreme Court which has jurisdiction where the board was sitting, or any judge of such division, or the Eastern Districts Local Division having such jurisdiction or any judge thereof, and “appellant” shall not include an alien.

(4) If the special case aforesaid is stated at the request of the appellant he shall, if he is a person seeking to enter the Union for the first time, lodge with the said registrar security to such amount as the registrar may determine for any costs that the court may order the appellant to pay.

II.

Prohibited Immigration.

4. (1) Any such person as is described in any paragraph of this Subsection who enters or is found within the Union or who, though lawfully resident in one Province, enters or is found in another Province in which he is not lawfully resident, shall be a prohibited immigrant in respect of the Union or of that other Province (as the case may be) ; that is to say—

(a) any person or class of persons deemed by the Minister on economic grounds or on account of standard or habits of life to be unsuited to the requirements of the Union or any particular Province thereof ;

(b) any person who is unable, by reason of deficient education, to read and write any European language to the satisfaction of an immigration officer or, in case of an appeal, to the satisfaction of the board ; and for the purpose of this paragraph Yiddish shall be regarded as a European language ;

(c) any person who is likely, if he entered the Union, to become a public charge, by reason of infirmity of mind or body, or because he is not in possession for his own use of sufficient means to support himself and such of his dependants as he shall bring with him into the Union ;

(d) any person who, from information received from any Government (whether British or Foreign) through official or diplomatic channels, is deemed by the Minister to be an undesirable inhabitant of or visitor to the Union ;

(e) any prostitute, or any person, male or female, who lives or has lived on or knowingly receives or has received any part of the earnings of prostitution or who procures or has procured women for immoral purposes ;

(f) any person who has been convicted in any country of any of the following offences (unless he has received a free pardon therefor), namely, murder, rape, arson, theft, receiving stolen goods knowing the same to have been stolen, fraud, forgery or uttering forged documents knowing the same to have been forged, counterfeiting coin or uttering coin knowing the same to be counterfeit, housebreaking with intent to commit an offence, burglary, robbery with violence, threats by letter or otherwise with intent to extort, or of any attempt to commit any such offence, and by reason of the circumstances connected with the offence, is deemed by the Minister or by an immigration officer acting pursuant to directions from the Minister, to be an undesirable inhabitant of or visitor to the Union ;

(g) any idiot or epileptic, or any person who is insane or mentally deficient, or any person who is deaf and dumb, or deaf and blind, or dumb and blind, or otherwise physically afflicted, unless in any such case he or a person accompanying him, or some other person, give security to the satisfaction of the Minister for his permanent support in the Union, or for his removal therefrom whenever required by the Minister ;

(h) any person who is afflicted with leprosy or with any such infectious, contagious or loathsome or other disease (other than tuberculosis), as is defined by regulation ; and any person who is afflicted with tuberculosis unless he is in possession of a permit to enter the Union, issued upon conditions prescribed by regulation.

Whenever the Minister exercises any power conferred upon him by this Sub-section, he shall transmit written notice of that fact to the immigration officer concerned and to every board. Subject to the provisions of §§2 and 3, an immigration officer shall cause a prohibited immigrant so entering or found within the Union or within any Province into which his entry, or in which his presence, is unlawful, to be removed therefrom.

(2) Nothing in Sub-section (1) (a) contained shall be construed—

(a) as enabling a person to be deemed a prohibited immigrant in the Cape of Good Hope or Natal if, being at the commencement of this Act lawfully entitled to reside in any Province, he shows or has shown that he is able to comply with the requirements described in §3 (a) of Act No. 30 of 1906 of the Cape of Good Hope, or of §5 (a) of Act No. 30 of 1903 of Natal; or

(b) as abrogating or affecting any right conferred by Act No. 36 of 1908 of the Transvaal upon the lawful holder of a certificate of registration defined in that Act.

(3) A list of all persons who have been declared under this Act to be prohibited immigrants in respect of the Union or any Province, and who have been removed therefrom or whose entry into the Union or any Province has been restricted, shall be laid by the Minister upon the tables of both Houses of Parliament within 14 days after the commencement of each session thereof. Such list shall be framed in respect of a period ending one month before the session commences, and shall contain the name, sex and nationality of each such person and the reason for his removal or restriction.

(4) The Minister may from time to time, by notice in the *Gazette*, declare that persons belonging to classes described in paragraph (a) of Sub-section (1) of this Section when permitted under this Act to enter or return to the Union or any Province, shall enter or return at a port or ports specified in the notice and not at any other port, and thereupon it shall be unlawful for any such person to enter or return at any other port.

5. The following persons or classes of persons shall not be prohibited immigrants for the purposes of this Act, namely:—

(a) any member of His Majesty's Regular Naval or Military Forces;

(b) the officers and crew of a public ship of any foreign State while the ship is in port;

(c) any person who is duly accredited to the Union by or under the authority of His Majesty or the Government of any foreign State, or the wife, family, staff or servants of any such person;

(d) any person who enters the Union, under such conditions as may be prescribed from time to time in accordance with any law or under any convention with the Government of a territory or State adjacent to the Union, provided he is not such a person as is described in Sub-section (1) (c), (d), (e), (f), (g), or (h) of the last preceding Section; and provided further he is not a person domiciled north of 22° south of the equator in such a territory or State;

(e) any person born before the commencement of this Act in any part of South Africa included in the Union whose parents were lawfully resident therein and were not at that time restricted to temporary or conditional residence by any law then in force, and any person born in any place after the commencement of this Act whose parents were at the time of his birth domiciled in any part of South Africa included in the Union;

(f) any person domiciled in any Province who is not such a person as is described in paragraph (e) or (f) of Sub-section (1) of the preceding Section, or who has not been removed under §22 of this Act ;

(g) any person who is proved to the satisfaction of an immigration officer or in case of an appeal, to the satisfaction of the board, to be the wife, or the child under the age of 16 years, of any person exempted by paragraph (f) of this Section, including the wife or child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union, provided that the wife or the child (as the case may be) is not such a person as is described in Sub-section (1) (d), (e), (f), (g), or (h) of the last preceding Section ;

(h) persons of European descent who are agricultural or domestic servants, skilled artisans, mechanics, workmen, or miners, and who have entered the Union under conditions which the Governor-General has approved : Provided that every such person shall produce, if required, a certificate of the person authorised in any country to issue such certificates, to the effect that the intending immigrant has been engaged to serve immediately on his arrival in the Union an employer of repute at adequate wages and for a period of time to be fixed in the said conditions, not being less than one year :

Provided that nothing in this Section contained shall be construed as entitling a person to whom the provisions of Sub-section (1) (a) of the last preceding Section apply, to enter and reside in a Province in which he has not previously been lawfully resident.

6. (1) If any person, after having been restricted from entering, removed from, or ordered to leave the Union, or any Province in which he is a prohibited immigrant (whether before or after the commencement of this Act) is found within the Union or that Province, he shall be guilty of an offence and liable on conviction—

(a) to imprisonment with or without hard labour for a period not exceeding three months, without the option of a fine ; and

(b) to be removed at any time from the Union or from such Province, as the case may be, by warrant issued under this Act.

(2) Every such sentence of imprisonment shall terminate as soon as the prohibited immigrant is removed from the Union or the said Province (as the case may be).

(3) Every officer in charge of a prison or gaol shall, if the warrant of removal be produced to him, deliver the prisoner named therein to any police officer or immigration officer, and the prisoner shall be deemed to be in lawful custody as long as he is in the custody of any such police officer or immigration officer or of any police officer or immigration officer for the time being in possession of the warrant.

7. Any such person as is described in Chapter XXXIII. of the Orange Free State Law Book shall, notwithstanding that he is lawfully resident in a particular Province or that he has been permitted to enter the Union, continue to be subject in all respects to the provisions of §§7 and 8 of the said Chapter XXXIII., and if he acts in contravention of those provisions, he may be dealt with under this Act as a prohibited immigrant in respect of the Orange Free State.

8. (1) No prohibited immigrant shall be entitled to obtain a licence to carry on any trade or calling in the Union or (as the case may be) in any Province wherein his residence is unlawful or to acquire therein any interest in land, whether leasehold or freehold, or in any other immovable property.

(2) Any such licence (if obtained by a prohibited immigrant) or any contract, deed or other document by which any such interest is acquired in contravention of this Section, shall, as from the date that the holder of the licence or interest is dealt with as a prohibited immigrant under this Act, be null and void.

9. (1) Every person who is suspected on reasonable grounds of being a prohibited immigrant may, if there is reason to believe that the delay occasioned by obtaining a warrant would enable such person to evade the provisions of this Act, be arrested without warrant by an immigration officer or police officer, and shall be dealt with in accordance with this Act.

(2) Any magistrate may, if information on oath be laid before him that there is upon any premises a named or described person reasonably suspected of being a prohibited immigrant, issue a warrant empowering a police officer of or above the rank of sergeant to enter those premises and search for the person named or described in that warrant and arrest him.

10. No prohibited immigrant shall be exempt from the provisions of this Act or be allowed to remain in the Union, or in any Province wherein his residence is unlawful, or be deemed to have acquired a domicile therein, by reason only that he had not been informed that he could not enter or remain in the Union or (as the case may be) in that Province, or that he had been allowed to enter or remain through oversight, misrepresentation, or owing to the fact having been undiscovered that he was such a prohibited immigrant.

III.

Special Powers for Preventing the Entry of and the Dealing with Prohibited Immigrants at Ports of Entry.

11. (1) Any immigration officer may, as and when he deems fit, board any ship which is entering or has entered a port.

(2) Any immigration officer may, whenever it is necessary for the more effectual carrying out of this Act, prohibit or regulate any communication with, or the landing on the shore from, any ship on which the immigration officer is proceeding with the examination of persons or which has on board or is suspected of having on board any prohibited immigrant, and the immigration officer may take such steps to carry out any such prohibition or regulation as the Minister may approve.

(3) For the better carrying out of the objects and purposes of this Act any port captain or harbour-master may, at the instance of an immigration officer, order the master of any ship to moor or anchor the ship in the harbour at such distance from the shore or landing-place or in such position as the port captain or harbour-master may direct.

12. It shall be the duty of the master of any ship which enters any port to deliver to an immigration officer upon demand—

(a) a list of all passengers on board the ship, classified according to their respective ports of destination and specifying the class by which each such passenger has voyaged and such further particulars as may be prescribed by regulation;

(b) a list of stowaways, if any have been discovered;

(c) a list of the crew and all persons (other than passengers or stowaways) employed or carried on the ship in any capacity by or on behalf of the owner;

(d) a certificate under the hand of the medical officer of the ship or, if there be no medical officer, under his own hand, stating any known cases of disease, whether infectious or otherwise, which have occurred upon the voyage or any known cases of physical or mental infirmity or affliction, the names of the persons who have suffered or are suffering therefrom, and the nature in each case of the disease, infirmity, or affliction :

Provided that in the case of a ship arriving at one port and destined for any other port or ports in the Union, the Minister may, subject to such rules as he may make for the guidance of the master, exempt the master from the delivery under this Section of all or any of such lists or of such certificate, except at the port of the Union at which the ship first arrives.

13. (1) Any person arriving by sea at a port of entry to whom it has been personally notified by an immigration officer that he is, and who is declared by such officer to the master to be, a prohibited immigrant shall be detained on the ship by the master, and the master shall, unless he is officially informed that the said person has been found not to be a prohibited immigrant, remove him from the Union : Provided that, if it appear to an immigration officer (whether upon the representation of the master or otherwise) that any person so declared ought, for the better carrying out of the objects and purposes of this Act, to be kept elsewhere than on the ship, the immigration officer may cause him to be removed in custody from the ship and be detained in any other place, whether afloat or on shore, which may be appointed by the Minister for the detention of prohibited immigrants.

(2) Every such person shall, while detained, pending removal, on board the ship be deemed to be in the custody of the master and not of the immigration officer or of the Minister or of the Government, and the master shall further be liable to pay the cost of the detention, maintenance, and control of any such person while so detained.

(3) If the master fails to comply with Sub-section (1) or to pay the cost mentioned in Sub-section (2), he or the owner of the ship shall forfeit a sum to be fixed by the Minister, not exceeding one hundred pounds in respect of each such person.

(4) The immigration officer may, prior to the said person being landed and removed from the ship under Sub-section (1) require the master or the owner of the ship to deposit a sum sufficient to cover any expense that may be incurred by the department in connection with the landing, removal, detention, maintenance, and custody aforesaid.

(5) If for any reason (other than that the said person has been found not to be a prohibited immigrant) he is not removed from the Union in the said ship, the owner shall, at the request of the immigration officer, convey the said person in another ship free of charge to the Government to a place outside the Union, and if the owner fail to comply with this Sub-section he shall forfeit a sum to be fixed by the Minister, not exceeding one hundred pounds in respect of each such person.

(6) Any such person who escapes or attempts to escape from detention, while being dealt with under the powers of this Section, may be arrested without warrant, and shall, in addition to any other offence which he may have committed under this Act, be deemed to have committed an offence in respect of the escape or attempt to escape.

14. If, after a ship has arrived at any port, the immigration officer has notified the master or the owner that any person or persons on board such ship is a prohibited immigrant, and such person or persons lands or land from the ship at that port without proper authority, the master or the owner shall forfeit a sum to be fixed by the Minister, but not exceeding one hundred pounds, in respect of every such prohibited immigrant.

15. (1) On or after the arrival at and again before the sailing of a ship from any port, an immigration officer may require the master to muster his crew, and after the first muster, may serve upon him a list of such of the crew as are suspected of being prohibited immigrants.

(2) If any of the crew, being persons whose names are included in the said list, do not answer to their names at the later muster, the master or the owner of the ship may be required before the ship sails to deposit with the immigration officer a sum not exceeding one hundred pounds in respect of each such person so missing.

(3) Any such sum shall be forfeited to the Government unless the master or owner prove to the satisfaction of the immigration officer, within six months thereafter, that the person in respect of whom the sum was deposited is no longer in the Union.

16. Until any sum which has been forfeited under §13 or §14 has been paid, or any sum which is to be deposited under §15 has been lodged, no clearance papers shall be given to the master or owner.

The ship may be declared executable by order of a superior court to satisfy any forfeiture incurred or deposit required under any of those Sections.

17. The proper officer of customs at any harbour may refuse to give the master of any ship clearance papers to leave that harbour until such master has complied with the provisions of this Act and produces a certificate of an immigration officer of such compliance.

18. For the purpose of facilitating the clearance of ships habitually calling at the various ports, the Minister may, in his discretion, enter into a bond or agreement with the owner whereby the owner undertakes that he or the masters of ships belonging to him and calling habitually at ports will carry out so much of the provisions of §§13, 14, and 15 as relate to the owner or the master, and thereupon the provisions of the said bond or agreement shall be substituted for those Sections so far as they relate to the payment or deposit of moneys by the master or the owner.

IV.

General and Miscellaneous.

19. (1) Every person arriving at any port or whenever otherwise found within the Union shall, if required, appear before an immigration officer and satisfy such officer that he is not a prohibited immigrant either in respect of the Union or in respect of any particular Province. The immigration officer may require every such person—

(a) to make and sign a declaration in the prescribed form; and
(b) to produce documentary or other evidence relative to his claim to enter or be in the Union or that Province; and

(c) to submit to any examination or test to which he may be lawfully subjected under this Act; and

(d) if he is suspected of being afflicted with any disease or physical infirmity which under this Act would render him a prohibited immigrant, to submit to examination by a medical practitioner designated by the Minister.

Every declaration made by a person under this Sub-section shall be exempt from the stamp duty ordinarily imposed by law on affidavits and solemn or attested declarations, anything to the contrary notwithstanding in any law in force in the Union relating to stamp duty.

(2) The immigration officer shall permit every person who he is satisfied is not, or who obviously is not, a prohibited immigrant, forthwith to land or remain in the Union or the said Province, as the case may be, but if any person fail to comply with the requirements of Sub-section (1), or, having complied with such requirements, fail to satisfy the immigration officer that he is not a prohibited immigrant, he shall be declared by the said officer to be a prohibited immigrant either in respect of the Union or in respect of any Province, and shall not be permitted to land or to remain in the Union or such Province as the case may be. The immigration officer shall thereupon inform the said person in writing that he may appeal to an immigration board in accordance with the provisions of §2 and in case of the said person's arrival by a ship which is about to depart without calling at any other port of the Union, that such appeal must be noted forthwith; and that otherwise the appeal must be noted within three days after the said person has been declared by the immigration officer to be a prohibited immigrant.

20. Any person who—

(a) aids or abets any person in entering or remaining within the Union or any Province in contravention of this Act, knowing that person to be prohibited from so entering or remaining;

(b) aids or abets a person ordered to be removed from the Union or any Province in evading the order, or harbours any such person knowing him to be the subject of any such order;

(c) for the purpose of entering the Union, or any Province in which he is a prohibited immigrant, or of facilitating or assisting the entrance of himself or any other person in contravention of this Act, commits any fraudulent act or makes any false representation by conduct, statement or otherwise—

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding six months, or to such imprisonment without the option of a fine.

21. Any person (not being a person born in any part of South Africa which has been included within the Union) who—

(a) having been removed by any Government from the Union or any part of South Africa which has been included in the Union, or being the subject of an order issued under any law to leave the Union or any part of South Africa which has been included in the Union, returns thereto without lawful authority or has failed to comply with the terms of any such order; or

(b) having been refused permission to enter the Union or any Province, whether before or after the commencement of this Act, has entered the Union or that Province or any other Province in respect of which he is a prohibited immigrant

—may, if not already under detention, be arrested without warrant and removed by warrant from the Union or (as the case may be) from the Province, and, pending removal, may be detained in such custody as may be prescribed by regulation.

22. Any person (not being a person born in any part of South Africa which has been included in the Union) who, whether before or after the commencement of this Act, has been sentenced to imprisonment—

(a) for a contravention of any provision mentioned in the First Schedule to this Act or any provision hereafter made amending that provision or substituted therefor or for any offence mentioned in Sub-section (1) (f) of §4; or

(b) for selling, bartering, giving or otherwise supplying intoxicating liquor to any coloured person in contravention of any law; or

(c) for dealing in or being in possession of unwrought precious metal or rough or uncut precious stones in contravention of any law, and who, by reason of the circumstances connected with the offence, is deemed by the Minister to be an undesirable inhabitant of the Union, may be removed from the Union by warrant, and, pending removal, may be detained in such custody as may be prescribed by regulation.

23. (1) The burden of proving that a person has not entered or remained in the Union or any Province in contravention of this Act shall lie upon such person.

(2) Any order, warrant, permit, certificate or other document which under this Act may be issued shall be good and effectual if signed by any officer in the public service authorised by the Minister by notice in the *Gazette* to sign such an order, warrant, permit, certificate or other document, and when so signed shall be evidence in all courts of law and for other purposes that it was issued in accordance with the provisions of this Act.

(3) A certificate under the hand of an immigration officer or of the chairman of an immigration board shall in any proceedings under this Act be *prima facie* evidence of the facts stated therein, and it shall not be necessary to tender oral evidence of such facts, unless the court or board before which such proceedings are had, specially direct, in which case a postponement shall be allowed to enable the officer or chairman whose presence is required to attend.

24. A magistrate's court shall have special jurisdiction to impose the maximum penalties provided for a contravention of this Act, anything to the contrary notwithstanding in any law relating to magistrates' courts.

25. (1) Anything to the contrary notwithstanding in this Act contained, the Minister may, in his discretion, exempt any person from the provisions of paragraphs (a), (b), (c), (d) of Sub-section (1) of §4, or, subject to the provisions of §7, may authorise the issue of a temporary permit to any prohibited immigrant to enter and reside in the Union or any particular Province upon such conditions as may be lawfully imposed by regulation.

(2) The Minister may also in his discretion authorise the issue of a certificate of identity to any person who is lawfully resident in the Union and who, desiring to proceed thereout with the intention of returning thereto, is for any reason apprehensive that he will be unable to prove on his return that he is not a prohibited immigrant.

(3) The Minister may authorise persons outside the Union to issue to any intending immigrant a certificate that he is exempt from the provisions of Sub-section (1) (a) of §4, but no such certificate shall be recognised in the Union, unless the holder thereof furnish to the immigration officer such proof as is prescribed by regulation of his identity with the immigrant to whom the certificate was originally issued.

26. (1) The Governor-General may make regulations, not inconsistent with this Act, prescribing—

(a) the powers and duties of immigration officers and immigration boards ;

(b) the steps to be taken to prevent the entrance of prohibited immigrants into the Union or the entrance of persons into any Province in which their residence is unlawful ;

(c) the times, places, and conduct of the inquiry or examination, medical or otherwise, of persons entering or desiring to enter the Union or any Province or who, being found in the Union or any Province, are suspected of being prohibited immigrants or unlawfully resident therein ;

(d) the procedure for, and the manner of, the detention of prohibited immigrants and unlawful residents, pending their removal from the Union or any Province, and the procedure necessary for and the manner of any such removal ;

(e) the procedure to be followed at or in connection with meetings of, and proceedings before, immigration boards and the mode of securing the attendance of witnesses at such proceedings ;

(f) lists of infectious, contagious, loathsome or other diseases (other than tuberculosis) the affliction with which will render a person a prohibited immigrant ; and the conditions governing the issue to any person infected with tuberculosis of a permit to enter the Union ;

(g) the other permits and the certificates which may be issued under this Act, the conditions upon which any such permit or certificate may be issued, the circumstances under which they may be cancelled or withdrawn, and the fees which may be charged for any such permit or certificate ; and the amount and nature of the security to be found for the due carrying out of any conditions upon which a permit to enter and reside for a specified period may be issued to a prohibited immigrant ;

(h) the conditions under which prohibited immigrants may be allowed to pass through the Union while journeying or being conveyed to a place outside the Union or from one Province to another within the Union ;

(i) the forms of warrants, permits, certificates, or other documents to be issued or used, or of the declarations to be made, or of the books to be kept, for the purposes of this Act, and the particulars to be inserted on or in any such document, declaration, or book,

and generally for the better carrying out of the objects and purposes of this Act.

(2) The regulations may prescribe penalties for the contravention thereof or failure to comply therewith, not exceeding the penalties mentioned in the next succeeding Section.

27. Any person who—

(a) for the purpose of entering the Union or any particular Province, or of remaining therein in contravention of this Act or any other law, or of assisting any other person so to enter or so to remain, fabricates or falsifies any permit, certificate or other document, or utters, uses or attempts to use any permit, certificate or other document which has not been issued by lawful authority, or which though issued by lawful authority, he is not entitled to use, or any fabricated or falsified permit, certificate, or other document, knowing it to have been fabricated or falsified ; or

(b) fails to comply with or contravenes the conditions under which any permit, certificate, or other document has been issued to him under this Act ; or

(c) obstructs, hinders or opposes an immigration officer or police officer in the execution of his duty under this Act ; or

(d) contravenes or fails to comply with any provision of this Act for the contravention whereof or failure to comply wherewith no penalty is specially provided

—shall be liable on conviction to a fine not exceeding fifty pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding three months, and, in the case of a contravention of paragraph (a) of this Section, to such imprisonment without the option of a fine.

28. Anything to the contrary notwithstanding in Act No. 36 of 1908 of the Transvaal, a person who has been exempted from the provisions of paragraphs (a), (b), (c), (d) of Sub-section (1) of §4 of this Act, or, on the authority of a temporary permit issued under Sub-section (1) of §25 of this Act, has been permitted to enter and reside in any part of the Union, shall not be deemed to be subject to registration under the provisions of the said Act of the Transvaal.

29. The laws mentioned in the Second Schedule to this Act shall be and are hereby repealed to the extent set out in the fourth column of that Schedule.

30. In this Act, and in the regulations made thereunder, unless inconsistent with the context—

“ board ” or “ immigration board ” shall mean an immigration board appointed under §2, and, when used in respect of any port or any area or any matter, shall mean the board having jurisdiction in respect of that port, area, or matter ;

“ department ” shall mean the Immigration Department established under this Act ;

“ domicile ” shall mean the place in which a person has his present home or in which he resides or to which he returns as his place of present permanent abode and not for a mere special or temporary purpose and a person shall not be deemed to have a domicile within the Union or any Province (as the case may be) for the purposes of this Act unless he has resided therein for at least three years, otherwise than under terms of conditional or temporary residence permitted by this Act or any other law or as a person under detention in a prison, gaol, reformatory or lunatic asylum ; and a person shall be deemed for the purposes of this Act to have lost his domicile within the Union or any Province (as the case may be) if he voluntarily go and reside outside the Union or that Province (except for a special or temporary purpose) with the intention of making his home outside the Union or that Province (as the case may be).

“ immigration officer ” shall mean any officer of the department, or any person on whom powers have been conferred or to whom duties have been assigned by the Minister as to the carrying out of this Act, other than powers or duties conferred or imposed upon a board ;

“ magistrate ” shall mean a chief magistrate or a magistrate or an assistant magistrate ;

“master,” in relation to a ship, shall mean any person (other than a pilot) for the time being in charge or command of that ship;

“Minister” shall mean the Minister of the Interior, or any other Minister to whom the Governor-General may assign the administration of this Act;

“owner,” in relation to a ship, shall, in addition to the actual owner, include the charterer of the ship, or any agent within the Union of the owner or charterer;

“police officer” shall mean a member of any force established under the authority of a law, and carrying out police powers and duties;

“port” or “port of entry” shall mean—

(a) any place on the coast of the Union; or

(b) any railway station or any place within the Union at or near any border thereof, at which entry into the Union can be effected, and, in respect of a Province, shall bear a like meaning;

“regulation” shall mean a regulation made and in force under this Act;

“ship” shall include any vessel or boat of any kind whatsoever used in navigation, whether propelled by sails, steam power or other mechanical means, or by towing or oars, or in any other manner whatever;

“this Act” shall include any order, direction, or regulation lawfully issued and in force thereunder.

31. This Act may be cited for all purposes as the Immigrants Regulation Act, 1913, and shall commence and come into operation on the first day of August, 1913.

FIRST SCHEDULE.

PROVISIONS REFERRED TO IN PARAGRAPH (a) OF §22.

Province.	Number and Year of Law.	Title or Subject of Law.	Section Contravened.
Cape of Good Hope	Act No. 36 of 1902	The Betting Houses, Gaming and Brothels Suppression Act, 1902	§§22, 31, 32 or 33.
Natal	Act No. 31 of 1903	The Criminal Law Amendment Act, 1903	§§3, 13, 14 or 15.
Transvaal ..	Ordinance No. 46 of 1903	The Immorality Ordinance, 1903	§§3, 13, 14 or 21.
Do.	Act No. 16 of 1908	The Criminal Law Amendment Act, 1908	§4 or §5, paragraph (a).
Orange Free State	Ordinance No. 11 of 1903	The Suppression of Brothels and Immorality Ordinance, 1903, as amended by Ordinance No. 19 of 1908	§§2, 11, 12 or 13.

SECOND SCHEDULE.

LAWS REPEALED.

Province.	Number and Year of Law.	Title or Subject of Law.	Extent of Repeal.
Cape of Good Hope	Act No. 30 of 1906	The Immigration Act, 1906	The whole.
Natal	Act No. 30 of 1903	The Immigration Restriction Act, 1903	The whole.
Do.	Act No. 7 of 1904	The Transit Immigrants Act, 1904	The whole.
Do.	Act No. 3 of 1906	To Amend the Immigration Act, 1903	The whole.
Transvaal ..	Act No. 2 of 1907	The Asiatic Law Amendment Act, 1907	The whole, except so far as it is applicable to the registration of minors lawfully resident in the Transvaal and entitled to registration therein.
Do.	Act No. 15 of 1907	The Immigrants' Restriction Act, 1907	The whole.
Do.	Act No. 38 of 1908	The Immigrants' Restriction Amendment Act, 1908	The whole.
Orange Free State	Law No. 18 of 1899	The admission and expulsion of aliens to and from the Orange Free State	The whole.
Do.	Ordinance No. 25 of 1902	The Indemnity and Peace Preservation Ordinance, 1902	§§19 to 24 (inclusive).

VI. Italy

Legge per la tutela giuridica degli emigranti. 2 agosto 1913, N. 1075. (Bollettino dell' Ufficio del Lavoro, Nuova Serie I. p. 214.)

Act respecting the legal protection of emigrants. No. 1075. (2nd August, 1913.)

CHAPTER I.—Special Judicial Bodies for Oversea Emigrants.

1. Disputes between emigrants and transport agencies, or their representatives arising out of the contract of conveyance, or proceedings preliminary to the same, or which may, in any way, be connected with such contract, or which may arise with respect to the application of the Emigration Acts, shall be decided upon, in accordance with the present Act, by the emigration arbitration committees, or by the emigration inspectors at the ports of embarkation according to their respective competency.

Jurisdiction shall be assigned to the same authorities to decide on actions, in connection with the same subject, which may be brought by third-class passengers, or by passengers of an equivalent class, as referred to in §§18 and 19 of the Royal Decree dated 14th March, 1909,* No. 130.

Jurisdiction shall, finally, rest with the same authorities in disputes arising out of authorised enlistments, in accordance with §18 of the said Act, excepting those cases in which special arbitration proceedings are stipulated in the Decree of authorisation.

* Title E.B. IV., p. 339, No. 2.

2. The arbitration committees shall, moreover, be competent to decide on the demands, brought forward by any Royal authority, for the repayment of expenses incurred in the interest of emigrants, when the responsibility for the facts having caused such expenses must be attributed to the transport agencies, representatives, undertakings, business agencies, or private persons.

3. For the purposes of this Act, all persons who emigrate exclusively for the purpose of manual work, or for carrying on small trades, or who may be going out to join husbands or wives or relations in the ascending and descending lines, or brothers, uncles, nephews, and relations of similar degrees, having already emigrated previously for working purposes, under the conditions referred to in §6 of the Act dated 31st January, 1901, No. 23, shall be considered as emigrants, even if they travel by any class higher than the third.

The regulations shall determine in which cases the capacity of emigrant shall be presumed, in the absence of proof to the contrary, in the case of persons travelling by any class higher than the third.

4. The disputes referred to in the first Section and any other provision of this Act, concerning amounts not exceeding 250 lire, shall come within the competency of the emigration inspectors referred to in §9 of the Act dated 31st January, 1901, No. 23.

Disputes with respect to amounts exceeding 250 lire shall come under the competency of the arbitration committees.

The said emigration inspectors shall also be competent to take cognisance of disputes, relating to amounts or values not exceeding 250 lire, which may arise at the place of embarkation, between emigrants and lodging-house keepers, boatsmen, porters, or others who have rendered services to emigrants.

5. The emigration arbitration committees shall have their domicile in the emigrant embarkation ports referred to in §9 of the Act dated 31st January, 1901, No. 23.

In addition to this, arbitration committees may be constituted in chief provincial towns, in which appeal courts and their respective sections and, by way of exception, tribunals, are established.

The constitution of the committees, referred to in the preceding paragraph, and the fixing of, and changes in, the circuit of each of the same, for the purposes of §7 of this Act, shall be provided for by Royal Decree, issued by the Minister of Foreign Affairs, in agreement with the Minister of Justice, after consulting the Board of Emigration.

The district of each of the inspectors shall be fixed or changed in the same manner.

6. The arbitration committee shall consist of—

(a) a councillor of the Court of Appeal of the judicial district in which the committee is domiciled, who shall be appointed every year by the First President of the said Court, in the capacity of president ;

(b) a councillor of the Prefecture of the Province in which the committee is domiciled, appointed annually by the Prefect ;

(c) a person expert in economics and social matters, appointed by the Minister of Foreign Affairs, in agreement with the Minister of Agriculture, Industry, and Commerce. The said appointment shall be for three years, and may be renewed.

Three substitute members, one of each of the above-mentioned classes, shall also be appointed, in the same manner. The latter shall serve as substitutes for the titular members in case of absence, impediment, or leave.

A secretary of prefecture shall have the functions of secretary of the committee, and shall be responsible for the preservation of the records.

7. The territorial competency of the emigration arbitration committees and inspectors shall be determined according to the place at which the ticket for embarkation was delivered, even if the contract of conveyance was not made there, or else, if the contract of conveyance was not definitely completed, according to the place at which the embarkation was negotiated.

As regards the return journeys of third-class passengers or passengers of any equivalent class, referred to in §§18 and 19 of the Royal Decree, dated 14th March, 1909,* No. 130, and of emigrants rejected by the country of destination, the territorial competency of the arbitration committees, and of the inspectors, shall be determined by the port of final destination, indicated on the ticket for the sea voyage.

In those cases, however, in which the destination is a foreign port, the competency shall be determined by the domicile of the plaintiff in the kingdom.

8. Any objection respecting incompetency, including that referring to the subject matter and value, must be submitted duly supported by reasons, before having recourse to any other instance or defence, and cannot be pronounced *ex officio*. As soon as an objection has been raised, the documents in question shall be sent to the First President

* Title E.B. IV., p. 339, No. 2.

of the Court of Appeal, in whose jurisdiction the inspector or the arbitration committee is domiciled. The President shall decide on the objection within ten days from the date, when he shall have received the documents, either by admitting or by rejecting it. The first President, whenever he may think it necessary, may convoke the parties, or their representatives, in order to collect the necessary information. The decision of the first President cannot be impugned by any means, whether ordinary or extraordinary.

9. The proceedings before the arbitration committee and the emigration inspector shall be commenced by a simple complaint lodged with the Royal emigration officers, the Royal travelling commissioners, the prefects, the mayors, the sub-prefects, the police authorities, the Royal diplomatic and consular offices, the departmental and communal emigration committees or the patronage societies recognised by the emigration commissariat. The complaint may be lodged either in writing, on unstamped paper, or verbally. In the latter case, minutes of the complaint must be drawn up immediately, in the form stipulated by the regulations.

10. The actions referred to in §1, without prejudice to the stipulation of §11, shall be prescribed at the expiration of one year from the date on which the oversea voyage commenced, or ought to have commenced, and, in the case of return voyages, as provided in the second paragraph of §7, from the date of disembarkation in Italy.

The complaint may be lodged by a person under age, whenever he may have negotiated for embarkation, or by the person who is legally in charge of the person under age, and, as regards prepaid tickets, it may also be lodged by the person having purchased the ticket, or by the person for whom it was bought.

11. Any person who, in accordance with §9, is under the obligation to receive the complaint, and who does not receive the same or fails to transmit it, within 30 days from the date of receipt, to the arbitration committee, or the emigration inspector to whom the application is addressed, shall be punished by a fine of from L. 100 to L. 1,000.

12. Whenever, in the course of penal proceedings, a reasonable argument arises with respect to the existence of the right to bring an action before the emigration inspector or the arbitration committee, which right may have been exercised, the judge shall, in his judgment, in the preliminary investigation stage, as well as in the action itself, expressly reserve the action; in such a case, the period referred to in §10 shall commence to run from the date on which the extract of the penal judgment has been notified to the party interested, in the form stipulated in §17.

The said reservation shall be mentioned in the deed of notification.

13. The preliminary investigation in the actions shall be made *ex officio*. It shall be carried out by the officials of the prefecture, under the direction of the councillor, forming part of the arbitration committee, and in the manner to be stipulated in the regulations.

The president shall entrust one or another of the members of the committee with the report in the action, whenever he does not think it advisable to reserve to himself the right to make such report. The councillor of the prefecture and the emigration inspector may call upon the royal pretors, and, through the emigration commissariat, upon the royal officials abroad and the royal travelling commissioners, to undertake the collection of interrogatories, evidence of witnesses, and other proofs.

A similar request, in matters coming within the competency of the arbitration committee, may be made by the councillor of the prefecture to the emigration inspectors of the port of embarkation.

The parties shall be entitled to inspect the documents of the preliminary investigation, or to obtain a copy of the same, to be made on their behalf, and at their expense.

14. The Minister of Justice, in agreement with the Minister of Foreign Affairs, shall appoint, for the cases indicated in the regulations, at the domicile of the inspectors in the ports of embarkation, a magistrate with the degree of judge, and, in such a case, the judicial functions belonging to the inspector shall be exercised by the said magistrate.

15. The committee and the inspector shall not be bound with respect to the preliminary investigations and the actions coming within their competency to observe the forms and periods established by the Code of Civil Procedure.

16. The emigration commissariat shall be entitled to make use, in the proceedings before the arbitration committee, of the services of Treasury advocates, or other officials, or, in exceptional cases, also of advocates possessing their confidence, in opposing the demands made by the emigrants, and to furnish, during the period of the preliminary investigation, and in the action, documents and other proofs.

17. The decisions shall be notified to the parties by means of registered letter, with receipt voucher, to be returned. Notice of the hearing shall be given in the same manner, and all other communications to the parties shall be made in like manner.

The corresponding expenses shall be at the charge of the emigration fund.

Should the emigrant not have indicated, in his appeal, his domicile or whether he resides abroad, he shall be considered, for all legal purposes, as being domiciled with the inspector, or the committee deciding on the matter.

If, during the course of the proceedings, a reasonable argument should have arisen with respect to the existence of a criminal offence for which proceedings may be taken *ex officio*, the president of the arbitration committee, or the inspector, shall inform the Public Prosecutor, who shall initiate, wherever necessary, penal proceedings in accordance with the law.

18. Appeal shall lie to the local arbitration committees against the decisions of the inspectors in matters of a value exceeding 50 lire.

Appeal shall lie to the Central Committee against the decisions pronounced in first instance of the arbitration committees.

19. The Central Committee, referred to in §20, shall be competent to take cognisance of appeals against the decisions of first instance of the arbitration committees.

The appeal shall be lodged by means of a declaration made to the secretary of the committee of appeal, or to an official competent to receive the claim. The secretary or official shall put into writing the declaration which he may receive.

The declaration must always be made within 30 days from the notification of the decision appealed against.

The decisions of the committees, issued in their capacity of appeal authority, cannot be impugned by reason of nullity, in accordance with §32 of the Code of Civil Procedure, nor shall an appeal lie from the same to the court of cassation, in accordance with §517 of the said Code.

An appeal against the said decisions may be brought only in the cases provided for under paragraphs 1, 2, 3, and 4 of §494 of the Code of Civil Procedure.

The appeal shall be brought by means of a written claim, notified, by registered letter, to the opposite party, at the domicile of the latter, as indicated in the judgment appealed from.

The provisions of §§496, 497 (first paragraph), 498, 499, 500, 501, 503, 507, and 508 of the Code of Civil Procedure shall apply to the proceedings in these appeals.

§506 shall also apply, but the fine shall always remain fixed at L. 25.

Whenever, during the course of the action before the inspectors and committees, the party against which a written document has been brought forward should expressly declare that he does not acknowledge it, the verification shall be effected in the action but without it being necessary to follow the rules of §§284 *et seq.* of the Code of Civil Procedure. §295 of the said Code, however, shall always apply. Whenever one of the parties brings forward the complaint of a false incident, the parties shall be referred to the civil tribunal of the place in which the inspector and the arbitration committee are domiciled, and the matter shall be proceeded with in accordance with §§297 *et seq.* of the Code of Civil Procedure.

In the case provided for in §31 of the Code of Penal Procedure, the provisions of the said Section shall apply.

20. The Central Committee shall have its domicile in Rome, with the emigration commissariat, and it shall consist of—

(a) a councillor of the court of cassation in Rome, appointed by the first president of the said court, as chairman;

(b) a member of the emigration board, appointed by the said board. The general commissioner, however, cannot be appointed;

(c) a higher official of the Navy, appointed by the Minister of the said department;

(d) a person, being expert in economics and social questions, appointed by the Minister of Foreign Affairs, in agreement with the Minister of Agriculture, Industry, and Commerce;

(e) a divisional chief of the Ministry of the Interior, appointed by the Minister of this department.

The members of the committee shall remain in office for three years, and may be re-appointed.

In the same manner, there shall be also appointed five substitute members—one for each of the above-mentioned classes—to serve as substitutes for the titular members, in case of absence, impediment, or leave.

A magistrate, with the degree of judge, appointed by the Minister of Foreign Affairs, in agreement with the Minister of Justice, shall have the functions of secretary to the committee and shall be responsible for the preservation of the records.

21. The emigration commissariat is entitled to lodge appeals with the Central Committee. In any case, it shall be entitled to be represented at the meetings of the committee by one of its functionaries, who may formulate its demands.

22. The execution of the decisions subject to appeal shall be suspended during the period allowed for appealing, and during the hearing of the appeal.

In cases of urgency, the judge may assign a provisional payment, to an amount not exceeding one-third of that awarded by the judgment, to be reckoned against the total amount settled.

23. All papers, and the records relating to the proceedings, including the decisions, shall be exempt from every stamp and registration tax, whenever request for the same is made in the exclusive interest of the emigrants.

24. Every decision of the arbitration committee shall be subject to a fee of 15 lire, and every decision of the Central Committee to a fee of 25 lire. The said fees shall be at the charge of the defeated party, and shall be allotted, in full, to the emigration fund.

Notwithstanding, the committee may declare any party to be exempt from payment, should such party have been recognised as poor by an express declaration made in the judgment.

The members and the secretaries of the committees shall receive, out of the fund, and for every decision in which they have taken part, remuneration to such an amount as shall be determined by the regulations.

25. Any contract intended to derogate from the competency established by this Act, or having for purpose the cession of the rights possessed by emigrants against the transport agencies, is legally void.

26. Whenever the transport agencies have been ordered to pay certain amounts, they must remit the same to the emigration commissariat, in such a manner as shall be determined by the regulations, within 15 days from the date of the notification of the decision.

After this period has elapsed, without the transport agencies having complied with this obligation, the commissariat shall take the said sums out of the security deposited.

The commissariat shall pay the corresponding amounts to the persons entitled thereto in such a manner as shall be stipulated by the regulations, which shall also determine in which cases the said amounts may be paid to the attorneys.

CHAPTER II.—Enlistment of Emigrants not Bound for Oversea Ports and Arbitration for the said Emigrants.

27. The enlistment of emigrants not included in the second chapter of the Act, 31st January, 1901 (No. 23), for work to be carried out abroad, must be shown in a written document. The regulations shall contain rules for these labour contracts, which must contain the obligation on the part of the contractor to insure the emigrants against industrial accidents in accordance with the Italian law, whenever it is a question of work to be carried out in foreign countries in which the said insurance is, according to the local laws, not compulsory for foreigners.

28. In any country where the movement of emigration referred to in the preceding section is considerable, arbitration boards may be instituted for conciliation and, if necessary, to give legal decisions on any disputes arising between the said emigrants and the contractors or enlisting agents, which are dependent on, or may, in any way, be connected with labour contracts to be carried out abroad. The said boards shall be constituted by Royal Decree promulgated by the Minister of Foreign Affairs, in agreement with the Minister of Justice; and this Decree shall determine the jurisdiction of such board.

The arbitration board shall be domiciled in the chief commune of the district (mandamento), and shall consist of the pretor, who shall reside over the same, and two citizens selected, one from amongst the workers and another from amongst the contractors, in accordance with the rules fixed by the regulations.

The regulations shall also determine the arrangements for the working of the said boards on the basis of the arbitration law in so far as this may be considered applicable.

29. The arbitration boards referred to in the preceding section may be appealed to within six months from the date of cessation of work.

30. The emigrant may appeal from the decision given in the matter in dispute with which he is concerned, whether this has arisen out of an individual or a collective contract, whenever the amount in dispute does not exceed L. 300 as far as the appellant is concerned.

Whenever it is a question of a collective contract, each of the contracting emigrants may join in the appeal, lodged by one of them, even if the amount in dispute is, as far as the person joining in the appeal is concerned, below the said limit.

In any case, the decision of the judge of the second degree shall have force only as regards the emigrant who may have appealed and those who may have joined in the appeal.

The right to appeal shall also appertain to the contractor, or enlisting agent, whenever the amount in dispute decided upon exceeds the limit fixed in the first paragraph of this section.

The contractor or enlisting agent shall always be entitled to appeal, whenever the amount which he has been ordered to pay, multiplied by the number of emigrants by whom the litigation has been, or may be, brought, reaches the sum of L. 10,000.

The appeal shall be brought in the manner indicated in the regulations before the Central Committee referred to in section 19 hereinabove contained.

31. Every decision of the arbitration boards shall be subject to a fee of L. 0.50 for every 100 lire.

CHAPTER III.—*Penal Provisions with respect to the Infringement of the Emigration Acts and Regulations.*

32. The inspectors for internal service and the travelling inspectors, as well as the officials of the emigration commissariat, shall rank equally with the officials of the court police as regards acts concerning infringements of the emigration laws and regulations.

33. §31 of the Act dated 31st January, 1901 (No. 23), is replaced by the following :
The following shall be subject to punishment :—

(a) By imprisonment for a term not exceeding six months and by a fine of from L. 100–L. 1,000, persons who may bring about and assist the emigration of one or more persons who do not fulfil the conditions required by the Acts and Regulations, and against the prohibition issued by the Minister of Foreign Affairs, in virtue of §1, last paragraph :

(b) By a fine of from L. 50 to L. 500, persons infringing §1 ;

(c) By imprisonment for a term not exceeding three months and by a fine of from L. 100 to L. 1,000, persons infringing the first part of §13 ;

(d) By a fine of from L. 100 to L. 1,000, transport agents who may place between themselves and the emigrant other intermediaries not being their duly authorised representatives ; and by the same fine, any transport agent or his representative who may represent as voluntary emigrants paying their own fares, persons who may have had their fare paid, wholly or in part, by foreign Governments or private undertakings ; and, in case of a repetition of the offence, by a fine of from L. 200 to L. 2,000 ;

(e) By a fine of from L. 100 to L. 1,000, persons infringing the last paragraph of §16, who may have been temporarily, or permanently, excluded from the emigration service by the Minister of Foreign Affairs, without prejudice to the liability which the representative may have incurred, as against the transport agent, or transport agents, having appointed him ;

(f) By imprisonment for a term not exceeding six months and by a fine of from L. 200 to L. 2,000, persons infringing §23 ;

(g) By a fine of from L. 200 to L. 2,000, for every day of delay, any captain of a steamer who, except in cases of "force majeure," recognised as such by the Ministry of Marine, may exceed on the voyage out, or on the return voyage (including the calls at ports), the number of days indicated on the ticket ;

(h) By a fine of from L. 200 to L. 2,000 for every ticket of embarkation issued in very serious cases, by imprisonment for a term not exceeding two months, a captain who, except in cases of "force majeure," may disembark one or more emigrants, on voyages out or on return voyages, at ports different from those indicated in the corresponding tickets of embarkation, without their consent declared in writing before the Royal Commissioner ;

(i) By a fine of from L. 100 to L. 1,000 for every emigrant who may have been enlisted, or sent to the port of embarkation, without having been given a ticket for embarkation, which latter cannot be replaced by any other document ;

(l) By a fine of from L. 50 to L. 500 for every ticket of embarkation issued in an irregular manner, which may not contain all the indications prescribed, or which contain the same in a substantially incorrect manner, or which may have been altered after having been issued, without the transport agent having been authorised by the commissariat, or without the express consent to this effect having been given by the emigrant ;

(m) By a fine of from L. 50 to L. 500 and by imprisonment for a term not exceeding two months, any person who may be found to have in his possession passports or other documents, the actual possession of which cannot be justified. This provision is without prejudice to the provisions of §286 of the Penal Code ;

(n) By a fine of from L. 100 to L. 1,000, any other infringements of the Emigration Acts and Regulations, whether committed by transport agents, their representatives, undertakings, business agencies, or other private persons, but not including the emigrants,

For the payment of the fines which the captains, representatives, and employees of the transport agents generally may have been ordered to pay, the latter shall be responsible by means of the security given by them.

Whenever the transport agent is a navigation company, the penalties stipulated in this Act against transport agents shall apply to those who may have acted as representatives of such company.

A copy of the orders and judgments issued by reason of the offences provided for in this Act shall be sent to the emigration commissariat in order that the same may take such steps as may come within its competency.

34. The first and second paragraphs of §17 of the Act dated 31st January, 1901 (No. 23), are replaced by the following:—

Without prejudice to the provisions of §416 of the Penal Code, any person who, for purposes of gain, may induce persons to emigrate, and any person who, by declarations, circulars, and guides, or publications of any kind concerning emigration, may circulate false news or indications, or circulate within the kingdom information of a similar kind, which has been printed abroad, shall be punished by imprisonment up to six months and by a fine of from L. 100 to L. 1,000.

Any person who, for purposes of gain, may direct a subject of the State to foreign countries other than those to which he intended to go and induce him to embark in foreign ports, or secretly on a ship, while deceiving him by stating untrue facts or by giving false information, shall be punished in accordance with §416 of the Penal Code.

CHAPTER IV.—General and Provisional Regulations.

35. §17, first and second paragraphs, §§26, 27, 29 (first and second paragraphs), 30, and 31 of the Act dated 31st January, 1901 (No. 23), are revoked.

36. Regulations approved by Royal Decree after consultation with the Council of State shall fix the rules for the administration of this Act.

37. The Royal Government shall be entitled to take steps by means of a Royal Decree, after consulting the Council of Ministers, for collecting in one codified text the provisions of the Acts dated 31st January, 1901 (No. 23), 17th July, 1910 (No. 538), and those of this Act.

38. The arbitration committees instituted by the Act dated 31st January, 1901 (No. 23), shall continue their functions until they have decided, in accordance with the rules established by the said Act, and the corresponding regulations, upon all the appeals submitted to them, up to the date when this Act comes into force.

International Association for Labour Legislation

Central Office : BASLE, SWITZERLAND.

OBJECTS.

1. To serve as a bond of union to all who believe in the necessity for Labour Legislation.
2. To organise an International Labour Office.
3. To facilitate the study of Labour Legislation in all countries and to provide information on the subject.
4. To promote international agreements on questions relating to conditions of labour.
5. To organise International Congresses on Labour Legislation.

BRITISH SECTION.

President : PROF. SIR THOMAS OLIVER, M.D., F.R.C.P.

Vice-Presidents :

THE EARL OF LYTTON.

THE RT. REV. THE BISHOP OF OXFORD.

THE REV. JOHN CLIFFORD, D.D.

MR. SIDNEY WEBB.

Hon. Treasurer :

MR. A. HENDERSON, M.P.

Chairman of the Board of Translators

MISS CONSTANCE SMITH.

Executive Committee :

LORD HENRY BENTINCK, M.P.

MR. A. H. CROSFIELD.

MR. J. DEVLIN, M.P.

MR. A. H. GILL, M.P.

MR. J. W. HILLS, M.P.

MISS B. L. HUTCHINS.

MISS M. R. MACARTHUR.

PROF. SIR JOHN MACDONELL, C.B., LL.D.

RT. HON. SIR ALFRED MOND, Bt., M.P.

MISS CONSTANCE SMITH.

MRS. H. J. TENNANT.

MISS GERTRUDE TUCKWELL.

Hon. Librarian : MISS D. BALLENGER.

Secretary : MISS S. SANGER, Queen Anne's Chambers, 28, Broadway, Westminster, S.W.

CONDITIONS OF MEMBERSHIP.

The minimum annual subscription for individuals is 5s. (or 15s. if the member wishes to receive all the Section's publications and the "BULLETIN OF THE INTERNATIONAL LABOUR OFFICE"). The minimum annual subscription for Societies is one guinea. Societies send two representatives to the Section's meetings.

AMERICAN SECTION.

Hon. President - HENRY W. FARNAM (Yale University).

President - HENRY R. SEAGER (Columbia University).

Secretary - JOHN B. ANDREWS (131, East 23rd Street, New York).

Assistant Secretary - IRENE OSGOOD ANDREWS (131, East 23rd Street, New York).

Treasurer - ADOLPH LEWISOHN (New York).

Executive Committee :

JOHN R. COMMONS (Madison, Wis.).

HENRY S. DENNISON (Boston).

HENRY W. FARNAM (New Haven).

ERNST FREUND (Chicago).

FREDERICK L. HOFFMAN (Newark, N.J.).

PAUL U. KELLOGG (New York City).

SAMUEL McCUNE LINDSAY (New York City).

ROYAL MEEKER (Washington, D.C.).

JOHN MITCHELL (Mount Vernon, N.Y.).

CHARLES P. NEILL (New York City).

PRESIDENT AND SECRETARY, *ex officio*.

CONDITIONS OF MEMBERSHIP.

The minimum annual fee for individuals is three dollars, including the "AMERICAN LABOR LEGISLATION REVIEW," quarterly (or five dollars if the member wishes to receive the "BULLETIN OF THE INTERNATIONAL LABOUR OFFICE"). The minimum annual fee for Societies and Institutions is five dollars; Societies receive one copy of the "BULLETIN," and for each two-dollar subscription an additional copy.